Food and Agriculture
Organization of the
United Nations

TACKLING FOREST CRIMES IN WEST AFRICA

Training of trainers curriculum

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TACKLING FOREST CRIMES IN WEST AFRICA

Training of trainers curriculum

Food and Agriculture Organization of the United Nations
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ABBREVIATIONS

CBD	Convention on Biological Diversity
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CITES	Convention on International Trade in Endangered Species
ECOWAS	Economic Community of West African States
EUTR	European Union Timber Regulation
FAO	Food and Agriculture Organization of the United Nations
FDA	Forest Development Authority
GDP	gross Domestic Product
INTERPOL	International Criminal Police Organization
IUCN	International Union for Conservation of Nature
TIDD	Timber Industry Development Division
UNCCD	United Nations Convention on Combatting Desertification
UNODC	United Nations Office of Drugs and Crime
USFS	United States Forestry Service
WABICC	West African Biodiversity and Climate Change
WABILED	West Africa Biodiversity and Low Emissions Development
WASCWC	West African Strategy to Combat Wildlife Crime
WCO	World Customs Organization
WAN	West Africa Network to Combat Wildlife Crime
WEN	Wildlife Enforcement Networks
WWF	World Wildlife Fund

SUMMARY

This training of trainers curriculum equips forestry enforcement officers: rangers, forest guards, and investigating officers with a sound knowledge of international legal frameworks, including basic concepts of the Convention on International Trade in Endangered Species (CITES) permits system, aiming to foster their capacities to investigate, prosecute and adjudicate forest crimes. In particular it aims to provide key experts (trainers) with a flexible and practical training guide to onboard recruits or to be a refresher course for officers in the field, to improve their knowledge and skills in combating forest crimes in the West Africa subregion.

Note that the curriculum relies substantially on the findings of seven national legal reports analysing the laws governing the forestry sector in Côte d'Ivoire, the Gambia, Ghana, Guinea, Liberia, Senegal and Sierra Leone.

Furthermore, a preliminary needs assessment was conducted to identify existing gaps in key criminal justice responses used to combat crimes. The assessment takes into consideration the aforementioned seven national legal studies through expert stakeholder interviews and a desk review of literature sources.

It is highly recommended that trainers use their knowledge to tailor this curriculum to their national context for better training outcomes. Good facilitation skills are essential to ensure an engaging training takes place, encouraging discussion and exchange of ideas between facilitator and participants. A participatory approach is the most suitable approach to use, as it balances teaching key concepts and tapping into the field experience that different participants bring.

Effective communication and facilitation skills are a prerequisite and will help participants identify the root causes of problems, strategies, and solutions to each question posed or set case study. It is important to adapt the material to the country's context and participants' level of understanding. Before conducting training, trainers must identify the areas of need previous to each key assessment and use the guide to address knowledge gaps in their teams.

Forest law enforcement involves different institutions with varying mandates, powers, investigation, and prosecutorial capabilities. Overall, efficient and effective enforcement measures are helpful and important in combating forest crime.

This curriculum may be useful in the preparation of criminal dockets, helping to bring together evidence for more successful prosecution of cases. Countries set up their law enforcement structures differently, influenced by the political, cultural, and social context of the country. For example, in some countries, the forestry department also carries the mandate to prosecute wildlife crimes. This is why the curriculum can be used as a general guide, which member states can rely upon to ensure better criminal justice responses to illicit timber trafficking.

It might also help facilitators set out the rules of engagement and set the tone of the training. It is highly recommended that the training be delivered as an experiential learning process allowing for the exchange of ideas between the facilitator and participants. Facilitators may opt to print certain graphs, tables maps, or visual depictions of data within the curriculum as visual aids for better learning outcomes.

Finally, it is recommended to test it through a pilot programme within the sub-region. The pilot programme may consist of a series of training workshops for trainers in select countries within West Africa, pulling participants from countries closer to selected countries.

METHODOLOGY TO DEVELOP THE CURRICULUM

First, an exercise was carried out to identify key institutions in ECOWAS member countries and at the subregional level, focusing on their responsibilities related to the law enforcement chain for combating forest crimes. A thorough needs assessment is critical before conducting any capacity development tool aiming at building skills and fostering institutional capacity.

Seven ECOWAS countries out of the fifteen have been selected based on the availability of data, building upon the legal forest reports developed under the SIDA project. The selection also took into account whether a country is a source country, a transit country, or a port of exit for illegal forest timber.

ADDITIONAL FACTORS LED TO THE SELECTION OF EACH COUNTRY:

- The selected countries have a significant volume of trade in timber or movement of timber from source countries to ports of exit – these findings are based on the countries' threat assessment synthesis reports carried out by the Born Free USA team and West Africa Biodiversity and Low Emissions Development (WABILED) team in 2019.
- High incidents of illegal logging in the country were also considered.

This selected method allows a more practical implementation of assessment and ensures that the needs assessment is targeted and resource- and time-efficient, leading to the development of a tailored and effective curriculum.

Second, a desk review identified existing timber trafficking curricula, species identification guides, and CITES-related material, focusing on gaps in available curricula.

Finally, a series of interviews with key relevant international and national partners complemented the desk review with field data and countries' main characteristics.

RESOURCE INSTRUMENTS

Following the CITES recommendation of use of the International Consortium on Combating Wildlife Crime (ICCWC) Toolkit or the assessment process, questionnaires were designed and results were analysed using this analytical toolkit.

It was used to prepare key questionnaires for the assessment. It is a relevant tool used in the analysis of administrative, preventive and criminal justice responses to wildlife and forest crimes and related offences in West Africa.

LIMITATIONS OF THE ASSESSMENT

The curriculum is based on desk review and interviews with available key stakeholders. It did not rely on onsite visits with institutions engaged in enforcement activities in West Africa. No physical visits for an assessment of border control monitoring and operational capacity of agencies were conducted. Some authorities were unavailable or unwilling to be interviewed, making this assessment more reliant on desk review in some instances. Despite current technological advancements, it also relied on the limited accurate data and statistics on illegal logging across the subregion of West Africa.

COURSE STRUCTURE

Learning objectives: Each section identifies key concepts the participants will learn.

Case studies: These are used as examples of key concepts or problems related to the topic of the presentation.

Icebreakers or discussion questions: These help facilitators to interact with participants.

Toolkit: A resource list with online reading reference material and video links is provided to tailor your module to the key learning objectives.

Group exercises: Group exercises are included in the curriculum for group participation in exercises.

Guiding questions: Discussion questions have been included to introduce a section of work and as a way of assessing participants' level of knowledge on the subject. Participants usually are knowledgeable on the subject, so it is good to ask them questions and let them participate. In other cases, this assessment indicates the depth to which you need to teach a particular subject. Those questions might also help to Identify the knowledge gaps or misconceptions through discussion and focus on addressing these knowledge gaps.

Required materials for group exercises: Flip charts, pens, charts.

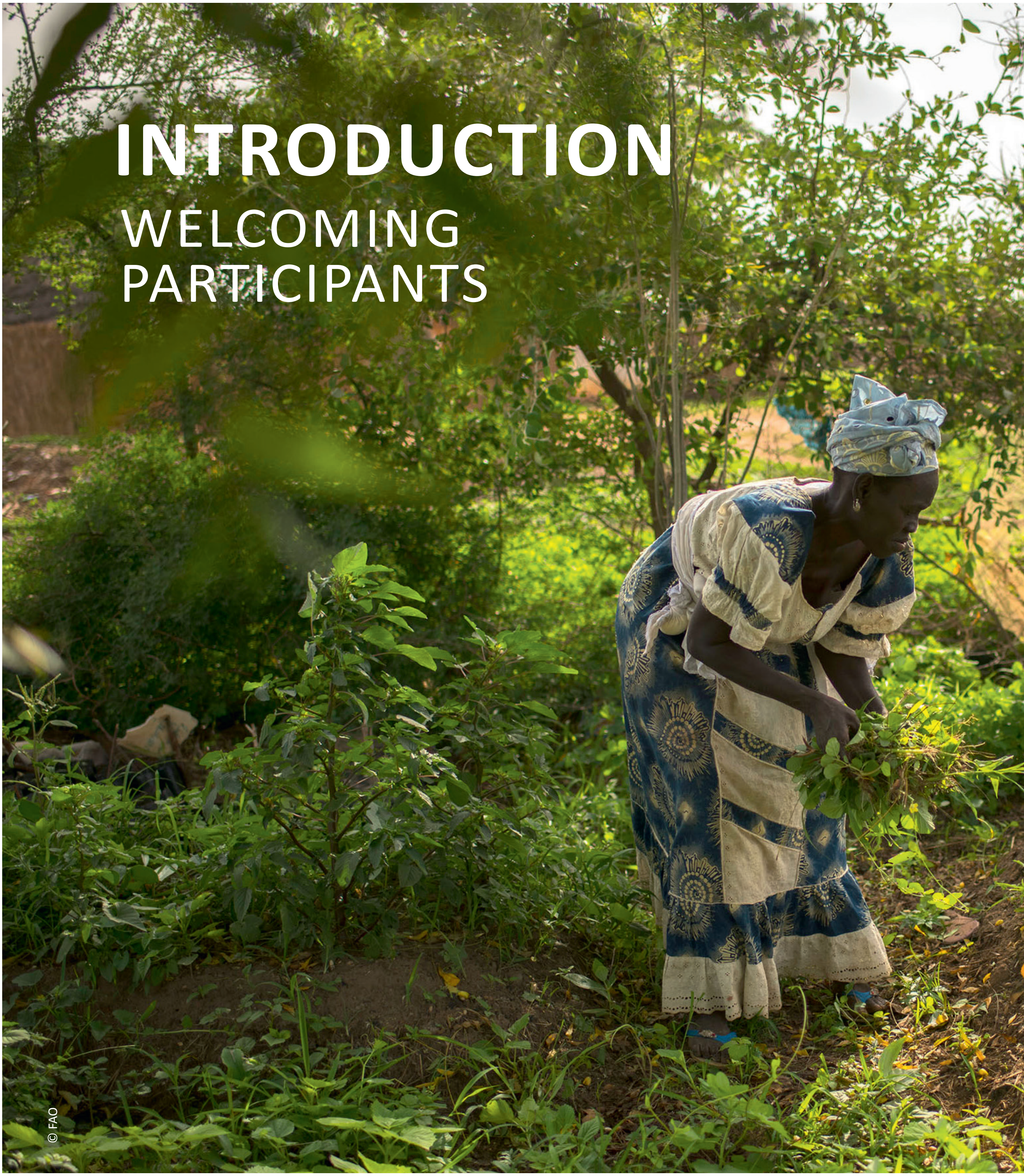
Table 1. *Learning objectives*

MODULE	LEARNING OBJECTIVES
Introduction	Welcoming & Presentation of the structure of the curriculum
Module 1 **An overview of forest crimes in West Africa**	► understand the concepts of illegal forest activities, including illicit timber trafficking; ► identify and understand the impacts of illegal forest activities in ECOWAS member countries and in the sub-region; and ► explore the role of key tools including innovative instruments to collect forest data and tackle deforestation.
Module 2 **Understanding the role of legal frameworks and CITES**	► understand the role of international legal frameworks to combat forest crimes; and ► gain an overview of CITES as a binding international legal framework.
Module 3 **Investigating forest crimes**	► understand what forest criminal offences are; ► identify key pieces of evidence to be gathered; ► understand prevention and detection of crimes; and ► learn more about building a forest crimes case.
Module 4 **Tackling forest crimes through transboundary cooperation – lessons learned from the project**	► understand challenges in implementing transboundary agreements for combating forest crimes in West Africa; ► understand the importance and effectiveness of transboundary cooperation in forest management; and ► learn the cooperation mechanisms that can be implemented.

Source: Author's own elaboration.

INTRODUCTION

WELCOMING PARTICIPANTS



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KEY OBJECTIVES

- understand the course learning objectives;
- introduce the participants and take stock of their expectations.

ROUND OF INTRODUCTIONS

Trainer to welcome warmly all participants joining the training and ensure the participation of all the people expected to take part.

Trainer to facilitate a round table for participants to introduce themselves.

Trainer to ask an icebreaker question:

- What are you most proud of in your job?
- What is your connection to forests?

INTRODUCTION OF THE COURSE STRUCTURE

Trainer to present the approach to the course

- The course relies on extensive participation from participants.
- The course combines presentations from the trainer, discussions and group exercises, and self-paced e-learning with external tools.

Trainer to invite participants to agree among themselves on rules for taking the floor and ensuring inclusive participation.

Trainer to discuss the confidentiality rules during and after the course.

Trainer to present the course structure and the planned schedule of the course (curriculum).

Summary

Methodology to develop the curriculum

Learning Objectives

Module 1 – An overview of forest crimes in West Africa

Module 2 – Understanding the role of international legal frameworks with a focus on CITES

Module 3 – Investigating forest crimes

Module 4 – transboundary cooperation in combating forest crimes in West Africa

Test yourself!

Trainer to ensure with participants that the proposed schedule works with their commuting or travel arrangements, and adjusts the schedule accordingly.

Trainer to ask each participant what they expect to learn out of the training.

Trainer to take note of participants' remarks to be sure to address them during relevant modules.

MODULE 1

An overview of forest crimes in West Africa

KEY LEARNING OBJECTIVES

- understand the concept of illegal forest activities, including illicit timber trafficking;
- identify and understand the impacts of illegal forest activities in your country and region; and
- explore the role of key tools including innovative instruments to collect data.

ADOPTION OF A STEPWISE APPROACH

The Trainer to:

STEP 1: Provide definitions of key concepts and background information related to forest crimes

STEP 2: Present data about the extent of forest loss and key drivers of deforestation in West Africa

STEP 3: Explain the contributions of the forest sector to national economies in West Africa

STEP 4: Present regional efforts to tackle forest crimes

STEP 5: Present the benefits of innovative tools for forest monitoring

Activities (discussion questions and exercises) complete each step allowing interactive sessions and an active participation from the attendees.

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STEP 1.

TRAINER TO PROVIDE DEFINITIONS OF KEY CONCEPTS AND BACKGROUND INFORMATION RELATED TO FOREST CRIMES

KEY DEFINITIONS

- **Wildlife and forest crime:** The taking, trading (supplying, selling or trafficking), importing, exporting, processing, possessing, obtaining or consuming of wild fauna and flora, including timber and other forest products, in contravention of national or international law. Broadly speaking, wildlife and forest crime is the illegal exploitation of the world's wild flora and fauna (UNODC, International Police [INTERPOL]).

Specific actions classified as forest crimes will vary according to the national legal framework. They might include:

- damaging forest protection infrastructure and facilities;
- carrying out activities resulting in deforestation and forest degradation;
- illegally occupying a forest area;
- encroaching on a forest area;
- burning forests either knowingly or as a result of negligence;
- cutting down trees, harvesting or collecting any forest products within the forest area without holding any rights or licence issued by authorized officials (in contravention of provisions);
- receiving, buying or selling, receiving as an exchange, receiving as entrusted goods, keeping or possessing any forest products known or alleged to have been harvested from a forest area by illegal means;
- open-cast mining in protected forest and unlicensed exploration or exploitation of mining materials;
- carrying, controlling or keeping forest products without legal documentation; and
- breaching third parties' rights, whether of workers or Indigenous Peoples and local communities.

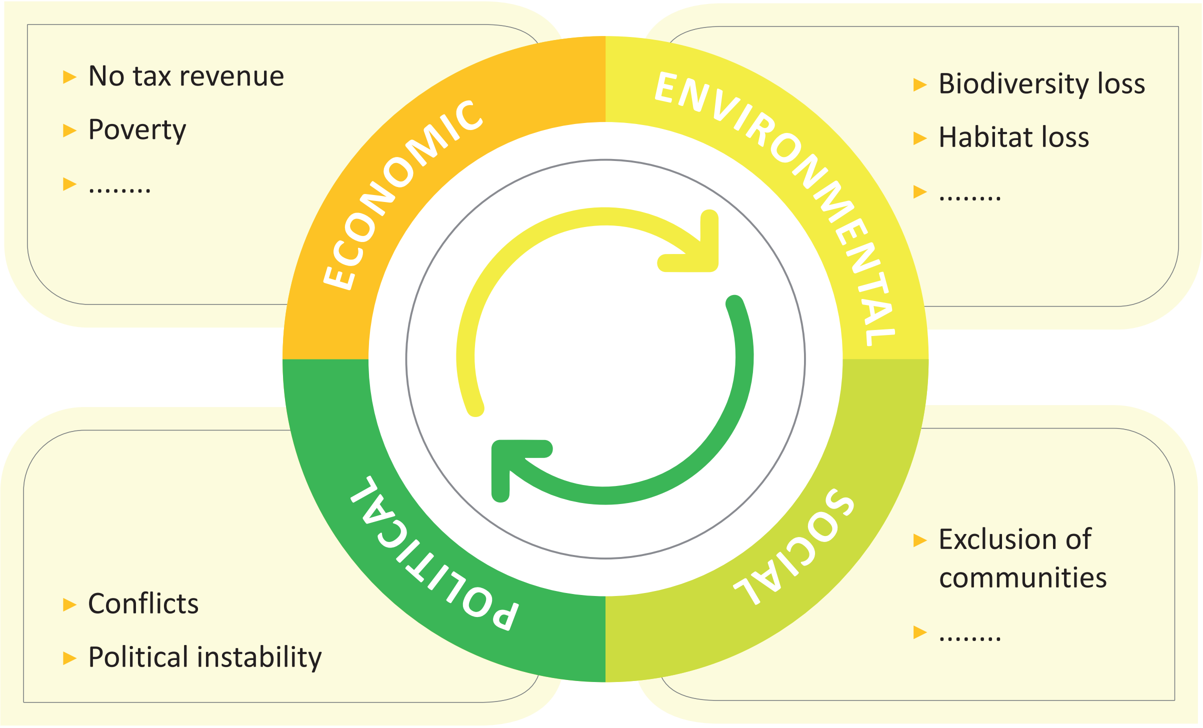
KEY DEFINITIONS

Forest crimes can also be classified according to terms commonly used in discussing environmental issues, including:

1. Illegal logging: a series of activities, from logging and timber transporting to processing and exporting without permits from government authorities, and therefore illegitimate, in violation of the law and considered acts that damage the forest (Suarga, 2005, p. 15).
2. Destructive logging: the illegal cutting down of forests perpetrated by forest companies with official government permits.
3. Illicit timber trafficking: The illegal or unauthorized harvesting and transporting of timber in contravention of national laws (Hansen and Treue, 2008). Trafficking is also a transnational form of organized crime, with many fraudulent techniques used to evade detection across borders.

Forest crimes can have major economic, social, political and environmental impacts. Illegal logging leads to the **destruction of natural habitats** for wildlife and degraded lands, may hamper agricultural productivity and may increase hunger among vulnerable communities. Illegal forest practices have been linked to **conflicts and political instability** in some countries (Saunders and Norman, 2020), including when countries are susceptible to illegal logging and to diversion of the resulting profits to finance war or conflict in the state. These countries have weak governance as the rule of law is not enforced and no functioning, effective enforcement institutions exist.

Figure 1. *Impacts of forest crimes*



Source: Author's elaboration.

ACTIVITY

ASK PARTICIPANTS TO DISCUSS THESE QUESTIONS IN A GROUP

1. **Do you agree with the preliminary list above? What more would you add?**
2. **Discuss how illegal forest practices affects food security and nutrition?**
3. **What do you think is required to effectively combat illegal forest practices/ forest crimes?**

Trainer to sum up participants' answers and complete with the following additional information:

Forest crimes, including illegal logging and timber trade, pose significant threats to both the environment and local communities.

1 ENVIRONMENTAL IMPACT:

- **Biodiversity:** The illegal timber industry contributes to the degradation of forests, which in turn harms biodiversity. Forests are home to countless plant and animal species, and their destruction disrupts ecosystems.
- **Carbon emissions:** Deforestation and land conversion for other purposes (such as agriculture or urban development) release carbon dioxide into the atmosphere, contributing to climate change.[1]
- **High-conservation-value forests:** Perpetrators often target high-conservation-value forests deliberately. These forests have exceptional ecological, social or cultural significance. When they are destroyed, unique species and habitats are lost.

2 SOCIAL AND ECONOMIC IMPACT:

- **Forest-dependent communities** rely on forests for their livelihoods, including food, medicine and fuel. Illegal logging disrupts these communities' access to essential resources.
- **Breach of the rule of law,** and promotion of transnational criminal networks: High-level government collusion often enables illegal logging to persist (Browne, C, Kelly, C., and Pilgram, C.2022).
- **Loss in tax revenues:** The trade of illegally logged timber has an estimated value of between USD 51–152 billion annually, representing a major loss in tax revenues. Illegal logging and international trade in illicitly harvested timber account for 15–30 percent of all timber traded globally (INTERPOL, 2021).

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[1] For more information see https://www.usaid.gov/biodiversity/illegal-logging-and-deforestation

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STEP 2.

TRAINER TO PRESENT DATA ABOUT THE EXTENT OF FOREST LOSS AND KEY DRIVERS OF DEFORESTATION IN WEST AFRICA

Between 2010 and 2020, West Africa experienced an average annual forest cover loss of approximately 52 920 hectares. This loss was primarily due to:

- **Excessive exploitation:** Activities such as uncontrolled logging, extensive agricultural systems (e.g. rubber plantations), and bushfires contribute to forest degradation.
- **Woodfuel harvesting:** Woodfuel represents about 85 percent of the total energy consumption in West African countries, leading to deforestation.

Overall, despite efforts to combat deforestation, the net loss of forests in Africa continues to increase, with approximately 4 million ha disappearing annually. Urgent action is needed to address forest loss in West Africa by promoting sustainable practices, engaging local communities, and supporting restoration efforts.

Table 2. *Forest loss in Africa*

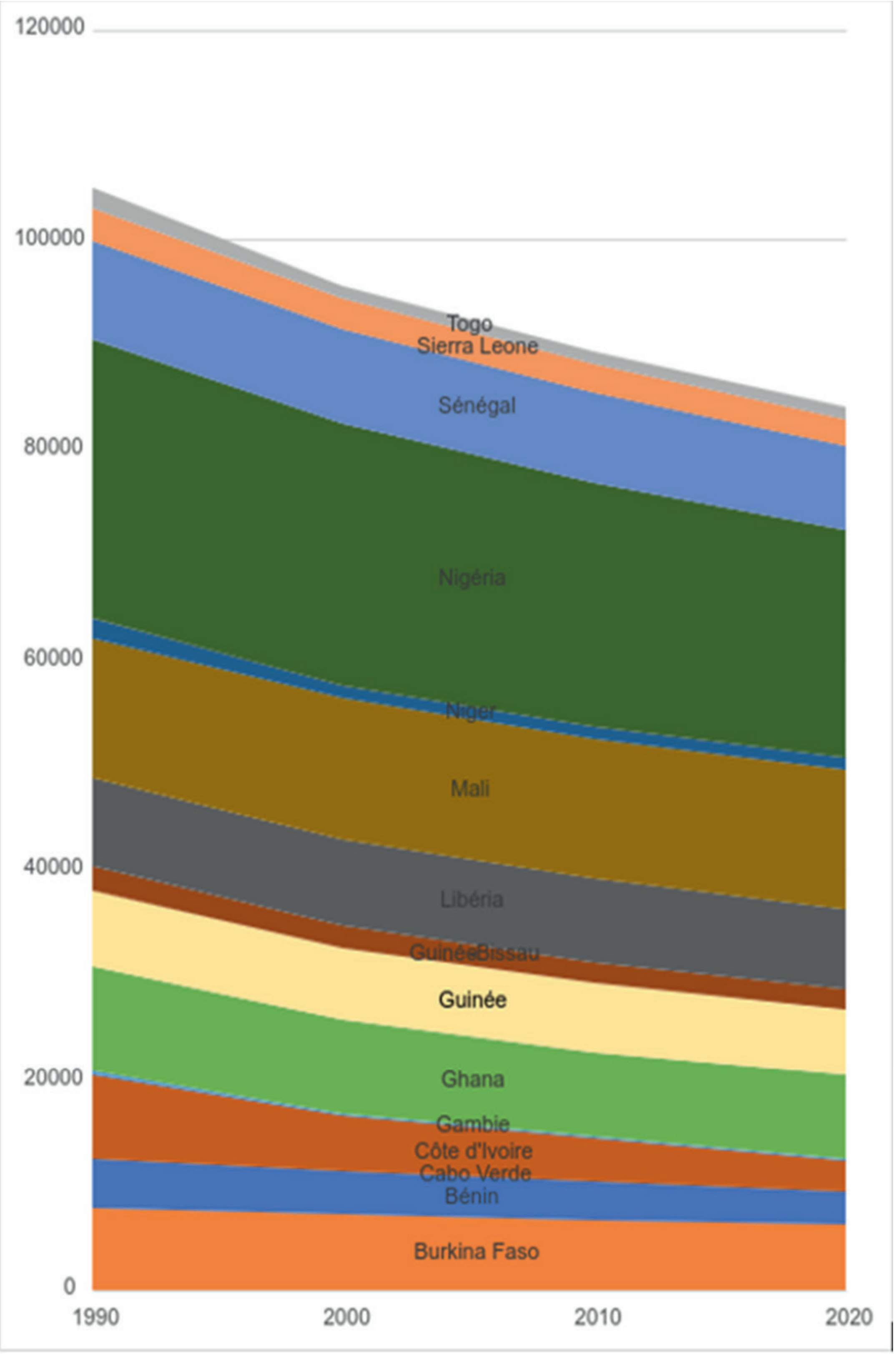
ANNUAL RATE OF FOREST LOSS IN AFRICA	3.9 MILLION HECTARES (FAO, 2020)
West Africa annual forest cover loss between 2010–2020	52 920 ha (FAO, 2020)
Loss caused by forest crimes	Worth USD 51–152 billion (Goncalves *et al.*, 2012)
Illegal timber trade in West Africa	50%–90% of all timber trade (ANRC, 2021)

Source: FAO. 2020. *Global Forest Resources Assessment 2020 – Key findings.* Rome. https://doi.org/10.4060/ca8753en

Goncalves, M.P., Panjer, M., Greenberg, T.S., & Magrath, W.B. 2012. Justice for forests: Improving criminal justice efforts to combat illegal logging. Washington DC. In World Bank: https://documents1.worldbank.org/curated/en/139031468337139570/pdf/676190PUB0EPI0067882B09780821389782.pdf?_gl=1*1kcm1 3n*_gcl_au*MjAyODQzMTM3LjE3MjMxMzA0NTA;

ANRC (African Natural Resources Management and Investment Centre). 2021. Illicit trading in Africa's forest products: Focus on timber. Abidjan, Cote d'Ivoire, African Development Bank.

Figure 2. *Forest loss in Economic Community of West African States member states, 1990–2020 (1000 ha)*



Source: FAO. 2020. *Global Forest Resources Assessment 2020 – Key findings.* Rome. https://doi.org/10.4060/ca8753en

At the regional level, deforestation is the result of a number of factors. The main direct drivers of deforestation are agriculture and small-scale logging (20.4 percent and 16.7 percent, respectively) and fires (14 percent). While these factors are partly linked to the livelihoods of local communities, the loss of forests also affects their livelihoods. Women within communities appear to be particularly affected by the impacts of deforestation, in particular because of gender inequalities (UNEP, 2019). Infrastructure projects, road expansion (and urbanization are also significant drivers of deforestation in the Economic Community of West African States (ECOWAS) region (FAO, 2024; Bey, 2023)

The needs assessment conducted under the SIDA project has highlighted some of the key drivers of forest crimes in West Africa.

Such key drivers in West Africa are multifaceted and have significant environmental, economic and security implications.

They include:

- The demand for high-value timber species illegally harvested in the country of origin.
- The existence of outdated or weak legal frameworks, combined with low enforcement capacities, including criminal penalties that do not have a deterrent effect. Across the West African region, countries tend to have legislation with penal sanctions for violating forest laws (FAO, 2024). Civil penalties are generally ineffective, as timber trafficking is a high-value activity.
- **Corruption** in the form of power patronage. The World Resource Institute identified power patronage as a cause of non-enforcement of forest laws or failure to implement agreed memoranda of understanding (MOUs) for transnational management. Power patronage is defined as the use of forests as a source of political power in which the government pays loyalists and political allies using the forests by issuing logging licences to forests and sometimes practising impunity by not punishing illegal logging activity by specific privileged individuals (Hanson *et al.*, 2019). Therefore, in some instances, there is no political will to allow new cooperation agreements to thrive.
- Another driver is the **limited capacity of forest management authorities**, which hinders effective forest-monitoring activities. The institutions have **limited logistics equipment and appropriate technology** for collecting and analysing data for efficient reporting of and response to detected crimes. This was illustrated particularly well in countries such as Guinea and Liberia.
- In West Africa, **porous borders** and limited collaboration between countries have also been a driver enabling the smuggling of illegal forest products across borders. The lack of coordinated responses at two levels presents challenges in the efficiency of detection operations. First, national coordination between law enforcement agencies such as forest agencies, police, prosecutors, and customs departments, significantly affects the quality of investigation of cases and prosecutorial outcomes. Secondly, **limited transboundary cooperation** inhibits the progress of cases that involve foreign nationals or timber brought from another country.

ACTIVITY

GROUP DISCUSSION QUESTIONS (ALLOCATE 15 MINUTES)

1. **Do you know how much forest cover has been lost in your country over the past five years?**
2. **What are the main drivers of deforestation in your country?**
3. **How illegal forest practices impact deforestation trends in your country?**

Trainer to facilitate a quiz about the main drivers of deforestation and illegal practices in West Africa.

Trainer to ask each participant to fill in the table below with the description of illegal forest practices relevant to their country's context (national and local levels), using the following questions.

1 WHAT ARE THE PREVALENT TYPES OF FOREST CRIMES IN YOUR COUNTRY?

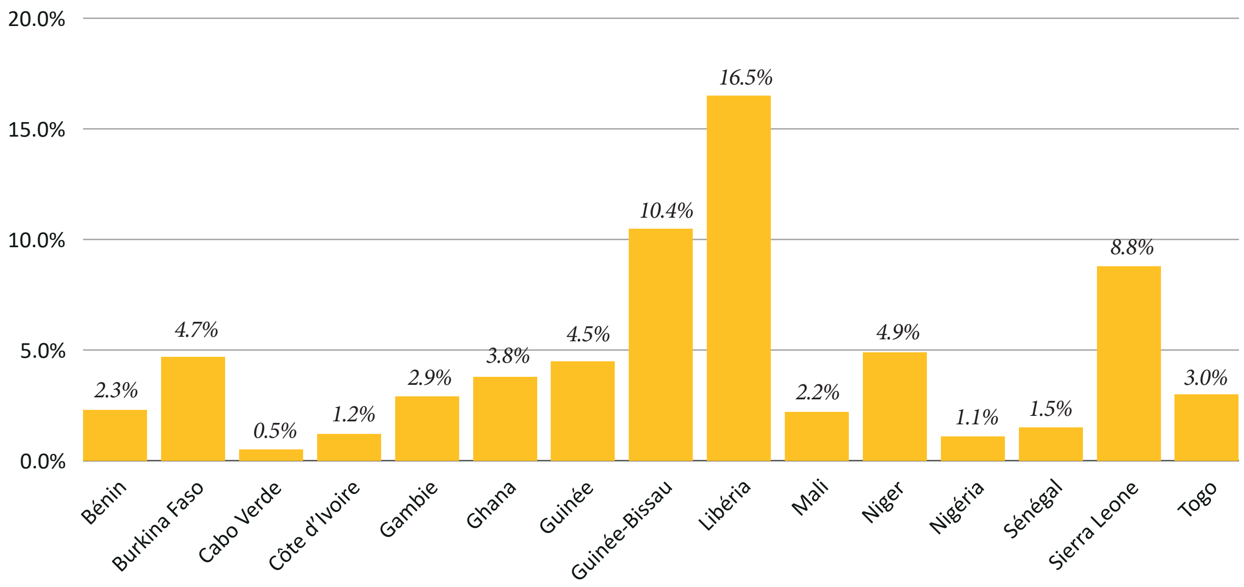
2 LIST EACH OF THESE TYPES, INDICATING THEIR LEVEL OF IMPACT OR LINKAGES WITH DEFORESTATION AND DEGRADATION IN YOUR JURISDICTION

	IMPACT ON DEFORESTATION AND DEGRADATION		
Type of forest crime or illegal forest practice	Low	Medium	High

STEP 3.

TRAINER TO EXPLAIN THE CONTRIBUTIONS OF THE FOREST SECTOR TO NATIONAL ECONOMIES IN WEST AFRICA

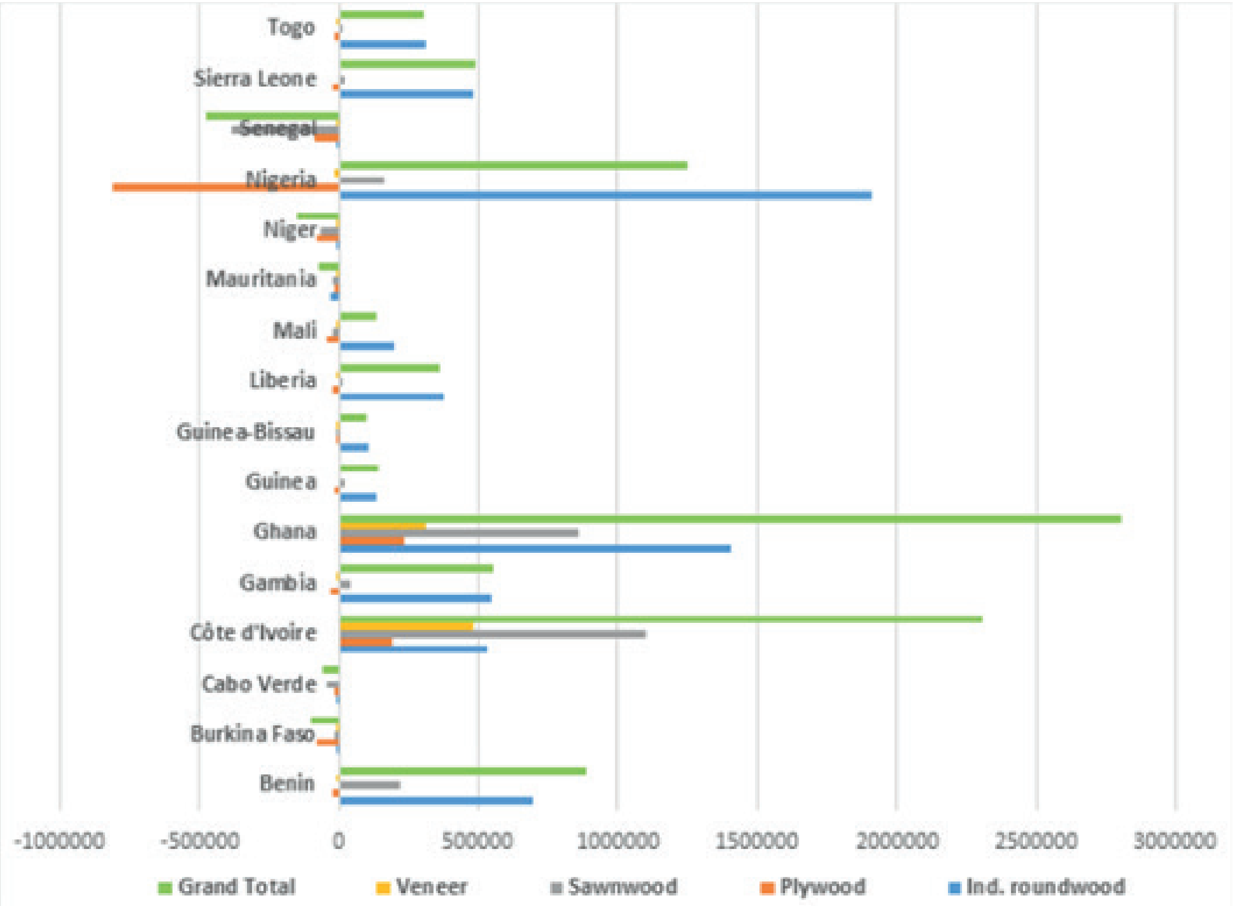
Figure 3. *Profits derived from the forest sector in West Africa*



Source: World Bank. 2024. Forest benefits (% of GDP) – Benin, Burkina Faso, Cabo Verde, Côte d'Ivoire, The Gambia, Ghana, Guinea, Guinea-Bissau, Mali, Niger, Nigeria, Sierra Leone, Senegal, Togo. In: World Bank Group. https://data.worldbank.org/indicator/NY.GDP.FRST.RT.ZS?locations=BJ-BF-CV-CI-GM-GH-GN-%20GW-L.

Note: Profits from forests correspond to the timber harvest, multiplied by the product of average prices and a rental rate specific to the region.

Figure 4: *Trade balances for primary processed products in West Africa between 2010 and 2020*



Source: African Natural Resources Management and Investment Centre. 2022. Economic Performance of the Timber Industry in West Africa. African Development Bank. Abidjan, Côte d'Ivoire. https://www.afdb.org/sites/default/files/documents/publications/economic_performance_of_the_timber_industry_in_west_africa.pdf

The countries in the region are losing a substantial amount of revenue as forest crimes are estimated to contribute to an illegal trade worth USD 51–152 billion. Overall, the GDP underestimates the true economic contribution of forests. It is then crucial to disrupt these illegal trade patterns to ensure that communities and countries can benefit economically. For example, in Liberia the forest sector accounts for 17.27 percent of the national GDP.

The contribution of forests to the economies in West Africa cannot be underestimated, as forests are a major contributor to communities' livelihoods, for example, as a source of fuel.

ACTIVITY

GROUP DISCUSSION QUESTION

1. **What is the contribution of the forestry sector to the national economy in your country?**
2. **What are the main measures adopted in your country to tackle illegal forest practices, including illegal logging?**

Trainer to summarize discussions and present relevant data about the economic contribution of the forestry sector:

- *The economic contribution of the forestry sector can be measured by assessing the share of the sector in the overall economy.*
- *Profits derived from forests (share of gross domestic product [GDP]) in relevant countries are shown in Figure 3.*

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STEP 4.
TRAINER TO PRESENT REGIONAL EFFORTS TO TACKLE FOREST CRIMES

Addressing illegal forest practices requires a multifaceted approach that combines legal measures, community involvement, and international cooperation. By doing so, we can protect forests, preserve biodiversity, and support the well-being of forest-dependent communities.

KEY MEASURES AND ACTIONS INCLUDE:

- **Subregional cooperation:** Regional efforts to strengthen borders have been made through INTERPOL, the World Customs Organization, and the West Africa Biodiversity and Climate Change and West Africa Biodiversity Low Emissions Development programmes to facilitate information and intelligence sharing.
- **Transboundary agreements** have been entered into within the region, but poor implementation of bilateral transboundary agreements has hampered progressive collaborative efforts in stopping illegal forest practices and timber trafficking (FAO, 2023).
- **Legislation and enforcement:** International efforts, such as the U.S. Lacey Act or the European Union Regulation on Deforestation Free Products aim to prevent the trade of illegally sourced timber (and other targeted commodities) that generate deforestation and degradation.
- **Satellite-based monitoring** helps detect and respond to illegal clearing of trees and logging.
- **Community empowerment:** Designating protected areas and recognizing local tenure rights empower communities to protect forests. Real-time alerts enable communities to verify intrusions and notify authorities.

The role of law enforcement agencies, such as police officers investigating wildlife crimes or forest rangers, is critical in combating illegal forests practices, with emphasis on illegal timber trade, promote sustainable and legal forest value chains, and ensuring that forests are protected within a sustainable forest management framework. It includes patrolling forests, investigation, surveillance of crimes, and collaborating and sharing information with other agencies in building cases for the prosecution of these crimes.

ACTIVITY

DISCUSSION QUESTIONS (PLEASE REFER TO FIGURE 1)

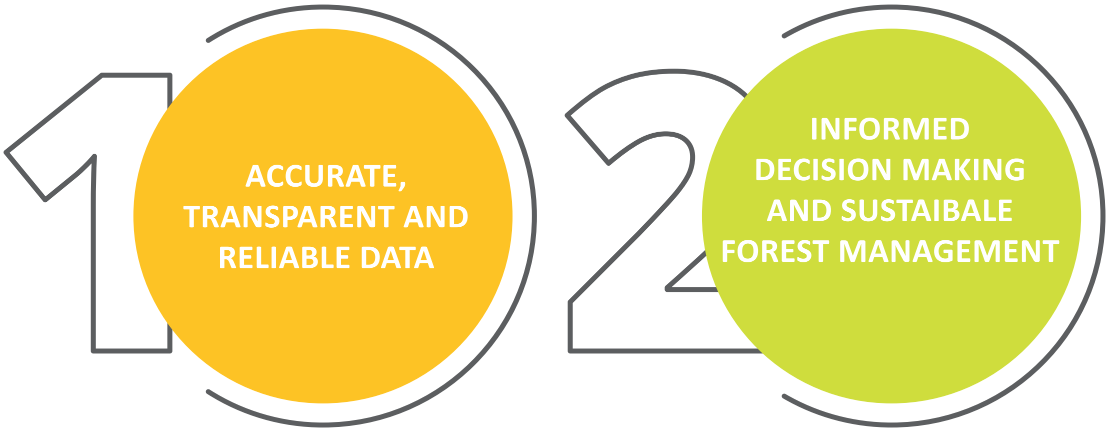
1. Where do you see your government as being stronger or weaker to tackle these key drivers?
2. What priority areas does your country need to focus on to combat forest crimes?

STEP 5.
TRAINER TO PRESENT THE BENEFITS OF INNOVATIVE TOOLS FOR FOREST MONITORING

Technology has proven to be useful in forestry management and protection efforts. To meet West Africa's urgent need for national and local systems, FAO has developed a suite of innovative forest and land monitoring tools that enable accurate yet cost-effective measurement, monitoring and reporting of forest and other land cover.

FAO Open Foris tools facilitates flexible and efficient data collection, analysis and reporting. It fast-tracks the development of operational National Forest Monitoring Systems and at the same time develops the capacities to sustain and use these systems to respond to national needs. Furthermore, the National Forest Monitoring System Assessment Tool developed by forest countries has a key role in reporting and monitoring forest land-use changes in the medium and long term.

Figure 5. *Improved sustainable forest management*


1
ACCURATE, TRANSPARENT AND RELIABLE DATA
2
INFORMED DECISION MAKING AND SUSTAIBALE FOREST MANAGEMENT

Source: Author's elaboration.

Harnessing technology tools will bring useful data to the development of response strategies to wildlife and forest crimes. Data show where there are gaps and needs for improvement, including helping management authorities determine whether interventions are adequate to prevent forestry crimes, especially timber trafficking, and to prevent forest fires and overexploitation of forests through commercial permits. Furthermore, it will assist the scientific authority in a country with information on the efficiency of protection of species and management plans, to prevent the extinction of timber species.

The Forest Product Statistics unit has generated codes for tropical wood to track it by origin, which enables better-regulated trade and potential detection of overexploited species, as well as an assessment of the risk of tropical deforestation.

ACTIVITY

- Explore some FAO technology tools that might be relevant to law enforcement by clicking on the links below.
- Choose one tool you think is most relevant and explain how you think it may be used in law enforcement.

Arena Mobile: *https://openforis.org/solutions/arena-mobile/*

Ground: *https://openforis.org/solutions/ground/*

Collect Earth: *https://openforis.org/solutions/collect-earth/*

Collect Earth Online: *https://openforis.org/solutions/collect-earth-online/*

To see the full list of apps go to: https://openforis.org.

Check out some of the mobile apps for timber identification compatible with Android and iPhone: https://globaltimbertrackingnetwork.org/2021/07/05/update-on-automated-wood-identification-mobile-app/.

GROUP DISCUSSION QUESTIONS:

1. **How do you think the above tools can be useful in combating forest crimes?**
2. **What tools do you use already? Describe the opportunities and limitations associated with such tools.**
3. **Do you have any innovative tools that you use in detecting or preventing forest crimes?**
4. **What do you think of your current technology use – is it effective? Elaborate your answer.**

Note: This online exercise requires access to a computer and an internet connection.

MODULE 1 LEARNING TAKEAWAYS

- Illegal forest practices and forest crimes have negative global impacts – economic, environmental and social – affecting communities and food security.
- Understanding the national and local contexts and the timber supply chain can help identify vulnerable parts that enable illegalities.
- Illegal logging is encouraged by corrupt practices, weak governance and high demand for illegal products.
- Technology has a critical role in mitigating illegal forest practices, including illegal timber trafficking and facilitating the collection of data to inform forestry agencies and strategies to protect forests.

MODULE 1 TOOLKIT (RESOURCE MATERIAL)

- Introductory video *International timber trade overview*
- UNODC video *Illicit timber*
- WWF living forests report: chapter 3 Forests and Climate: REDD+ at a Crossroads
- FAO legal and sustainable forest value chains for climate action
- *Forest governance 2.0*, a World Bank primer on information and communication technology for forest governance
- FAO forest-monitoring e-learning course

MODULE 2

Understanding the role of international legal frameworks: a focus on cites

KEY LEARNING OBJECTIVES

- understand the role of international legal frameworks to combat forest crimes; and
- gain an overview of CITES as a binding international legal framework.

ADOPTION OF A STEPWISE APPROACH

The Trainer to:

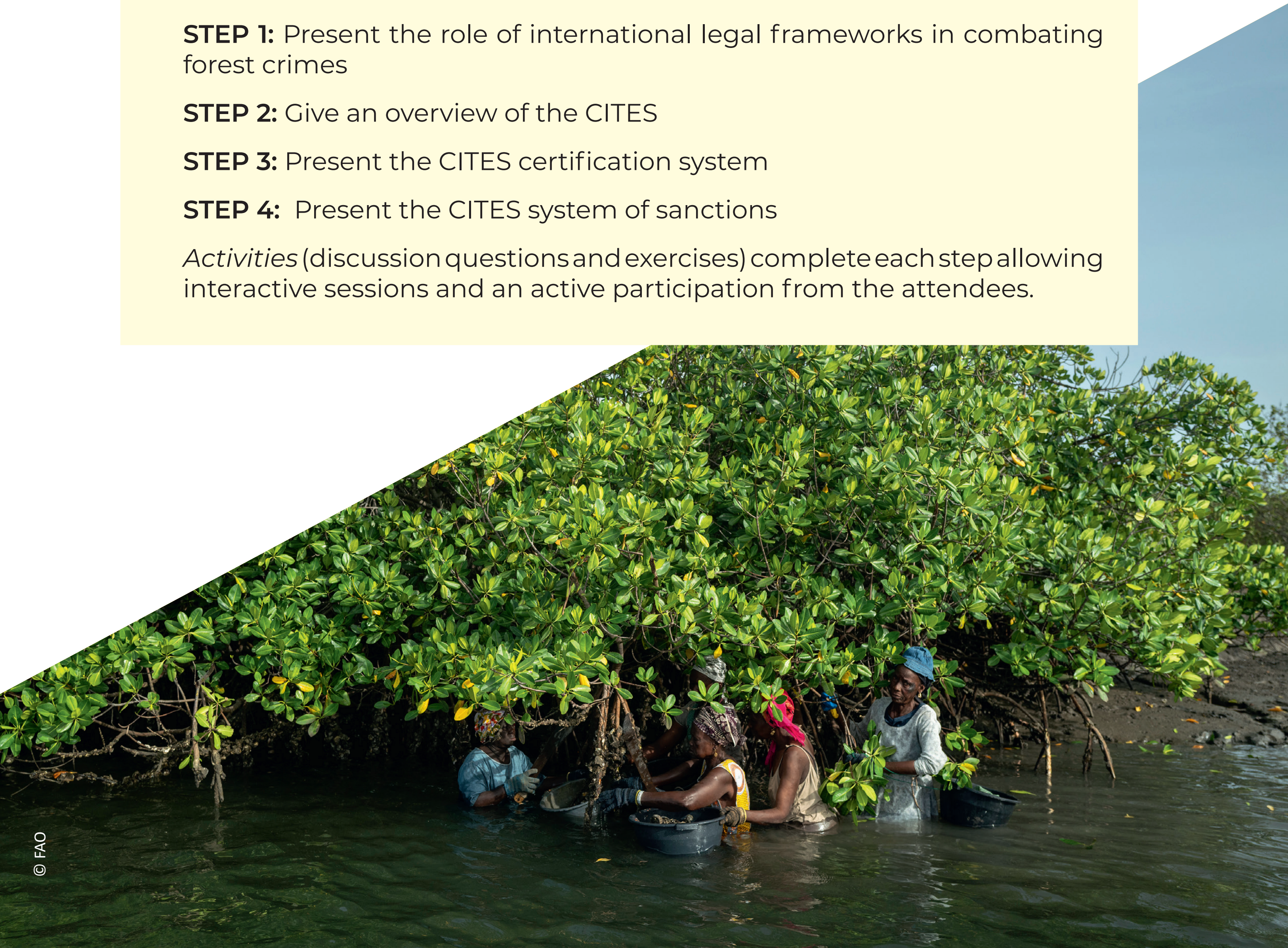
STEP 1: Present the role of international legal frameworks in combating forest crimes

STEP 2: Give an overview of the CITES

STEP 3: Present the CITES certification system

STEP 4: Present the CITES system of sanctions

Activities (discussion questions and exercises) complete each step allowing interactive sessions and an active participation from the attendees.



© FAO

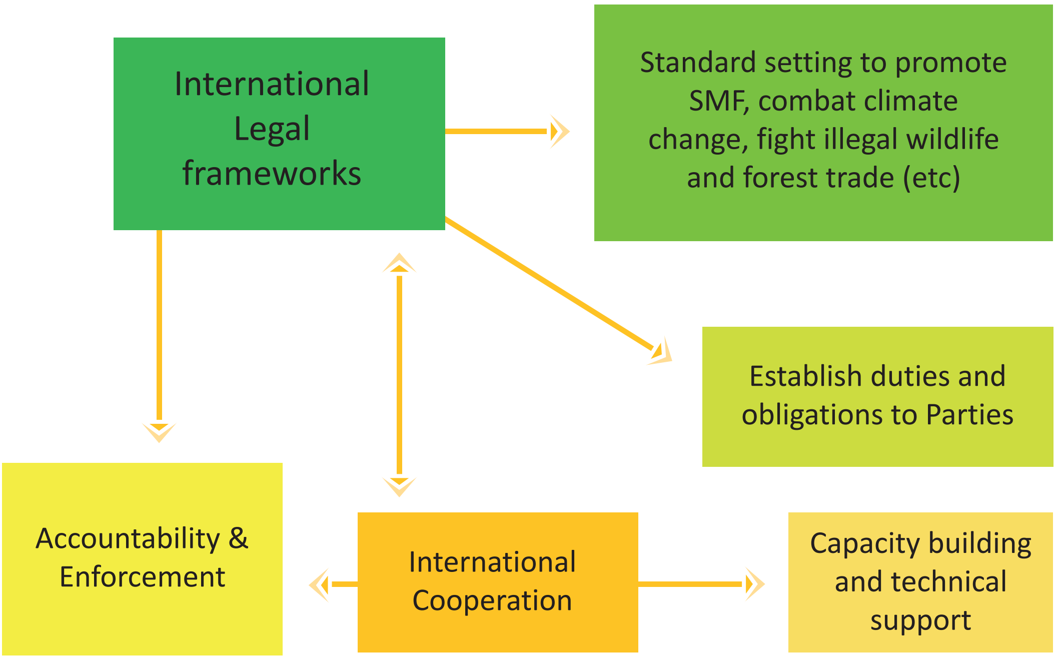
STEP 1.

TRAINER TO PRESENT THE ROLE OF INTERNATIONAL LEGAL FRAMEWORKS IN COMBATING FOREST CRIMES

Trainer to present links between national sovereignty, national legal frameworks and the commitments made by countries in international conventions:

- *Countries determine how natural resources are used in their jurisdiction. Nevertheless, countries also agree on basic principles outlined in international instruments. Non-binding international instruments also guide and support laws, policies and strategies at the country level.*
- *Legal frameworks play a major role in combating forest crimes by providing a clear set of rules and regulations that govern forests. The development of international forest-related policy and obligations, both legally and non-legally binding, has been particularly rapid since the United Nations Conference on Environment and Development (UNCED), which was held in Rio de Janeiro in 1992. This is in response to concern over high rates of deforestation and forest degradation globally, recognition of various global services from forests, and strengthened commitment to international action to facilitate sustainable forest management worldwide.*
- *Legally binding commitments on forests have been made through a large number of global conventions and agreements. The main ones are the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES, 1975), the Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar Convention, 1975), the Convention for the Protection of the World Cultural and Natural Heritage (World Heritage Convention, 1975), the Convention Concerning Indigenous and Tribal Peoples in Independent Countries (ILO Convention No. 169, 1991), the Convention on Biological Diversity (CBD, 1993), the UN Framework Convention on Climate Change (UNFCCC, 1994) and the Paris Agreement (PA, 2015), the International Tropical Timber Agreement (ITTA, 1994), and the UN Convention to Combat Desertification (UNCCD, 1996).*

Figure 6. *The role of international legal frameworks in combating forest crime*


International Legal frameworks
Standard setting to promote SMF, combat climate change, fight illegal wildlife and forest trade (etc)
Establish duties and obligations to Parties
Accountability & Enforcement
International Cooperation
Capacity building and technical support

Source: Author's elaboration.

ACTIVITY

GROUP DISCUSSION QUESTION

1. **Do you know which international instruments regulate sustainable forest management and forest trade in your country?**
2. **Why are they important?**
3. **What type of measure may be more efficient to tackle forest crimes in your view?**

Trainer to recap the main takeaways from the discussion and complete with the following information:

- *The three Rio Conventions are the Convention on Biological Diversity, the United Nations Framework Convention on Climate Change, and the United Nations Convention to Combat Desertification. Across the three conventions, there are important core principles listed below and are relevant to sustainable forest management.*

CORE PRINCIPLES

- **Sustainable use of natural resources for the benefit of present and future generations[1]**
- **National sovereignty**
- **Prevention of transboundary harm**
- **International cooperation**
- **Participation of communities in environmental protection**

The implementation of these principles at the national level is an important component of the fulfilment of international treaty obligations (Article 3.1 United Nations Framework Convention on Climate Change); without their integration into national laws or policy processes, the goal to protect flora and fauna is not met (Stakeholder Forum for a Sustainable Future, 2011).

International legal frameworks need to be domesticated to allow for effective and sustainable management of natural resources including forests.

The implementation of key international legally binding instruments at the national level, such as CITES will result in the reduction of illegal forest practices and forest crimes and illegal trade of forest products.

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[7] See Article 3, United Nations Framework for Climate Change https://unfccc.int/resource/docs/convkp/conveng.pdf

Trainer to present the relevance of legal repositories:

FAOLEX is a comprehensive and up-to-date legislative and policy database, one of the world's largest online repositories of national laws, regulations and policies on food, agriculture and natural resources management. Users of FAOLEX have direct access to the abstracts and indexing information about each text, as well as to the full text of the legislation and policies contained in the database.

TIMBERLEX is a database providing free and easy access to a set of comprehensive country-specific legal information – including legislation, policies and international commitments – on forest management, timber production and trade.

Legal country profiles of major timber-trading countries are organized around a set of guiding legal elements for timber legality developed by FAO and grouped in four clusters to capture the different stages of the timber value chain:

1. Land tenure and forest management
2. Timber harvesting activities
3. Processing, transport and trade
4. Taxes and fees

ACTIVITY

With the use of FAOLEX, Timberlex or national repositories, trainer to facilitate the following discussion.

DISCUSSION QUESTIONS

1. **In your country, what are the main legal provisions aimed at tackling forest crimes?**
2. **What sources did you use to identify the most relevant legal instruments dealing with forest crimes?**

Trainer to present relevant international instruments aimed at combating forest crimes (Tables 2 and 3):

Table 3. *Relevant international instruments to combat illegal forest practices and forest crimes*

INTERNATIONAL TREATY	DESCRIPTION
Convention on International Trade Endangered Species	This treaty aims to regulate and monitor international trade in endangered species. The treaty facilitates legal trade through cooperation and coordination among states, improving transparency and accountability for trade.
Convention on Biological Diversity	This treaty aims to conserve biodiversity, ensure sustainable use of natural resources and promote fair benefit-sharing. Combating illicit timber trafficking is essential for achieving the objectives of the convention.
Convention on the Elimination of All Forms of Discrimination against Women	This treaty recognizes the importance of ensuring that enforcement initiatives do not disproportionately affect women or undermine their rights. In the context of illicit timber trafficking, addressing gender disparities and promoting inclusive, equitable governance can help reduce the drivers of illegal logging and associated criminal activities.
The United Nations Convention against Corruption	This anticorruption legally binding instrument includes measures to fight corruption, adopting a comprehensive approach in preventing and combating this threat.

INTERNATIONAL TREATY	DESCRIPTION
International Tropical Timber Agreement	This agreement under the International Tropical Timber Organization promotes sustainable management of tropical forests. It includes provisions to combat illegal logging and timber trade. In the preamble it recognizes the relevance and importance of collaboration for improving forest law enforcement and promoting trade from legally harvested timber.
United Nations Convention against Transnational Organized Crime	This treaty includes provisions that address organized crime activities, including illicit trafficking in timber and other natural resources.
European Union Deforestation Regulation (EUDR)	The EUDR aims to guarantee that the products EU citizens consume do not contribute to deforestation or forest degradation worldwide. Under the regulation, any operator or trader who places targeted commodities on the EU market or exports from it must be able to prove that the products do not originate from recently deforested land or have not contributed to forest degradation. The regulation on deforestation-free products repeals the EU Timber Regulation.
Forest Law Enforcement Governance and Trade Action Plan (FLEGT) **Voluntary Partnership Agreements** **(FLEGT-VPAs)**	This agreement is used to combat illegal logging and promotes sustainable forest management in timber-producing countries by using voluntary partnership agreements and establishes a legality assurance system that helps timber-producing countries ensure that their timber products exported to the European Union meet legal requirements. This system includes measures such as verification of the legality of timber, issuance of licences and tracking mechanisms to provide assurance to EU importers and consumers. VPAs are a key component of the EU FLEGT Action Plan to address illegal logging. Each VPA is a bilateral trade agreement negotiated between the European Union and a timber-exporting country outside the European Union. While parties enter into a VPA voluntarily, the agreement becomes legally binding when both parties have ratified it. A VPA seeks to ensure that timber and timber products imported into the European Union from a partner country comply with the laws of that country. To achieve this, a partner country must first decide which parts of its national legal framework it will use to define legality for the purposes of the VPA. The country must also have and describe in the VPA text and annexes a system to ensure legal compliance and issue legal products with FLEGT licences. In most cases, a country will build on existing systems to achieve this.

Table 4. *Regional instruments*

INSTRUMENT	DESCRIPTION
Economic Community of West African States treaty	This 1975 treaty established a regional body to promote regional cooperation for development including forestry protection.
Convergence Plan for the Sustainable Management and Utilization of Forest Ecosystems in West Africa	In 2012, ECOWAS member states agreed to collaborate in the management and protection of forests and wildlife in the region.
African Convention for the Conservation of Nature and Natural Resources	This 1968 convention encourages conservation and sustainable use of flora and fauna for future generations.
	In recognition of the elevated levels of illicit wildlife trade posing a major threat on survival of biodiversity in Africa, ECOWAS member states, Central Africa, Democratic Republic of Congo, and parties to the Convention on International Trade in Endangered Species entered this agreement in 2016. The main objective was to consolidate efforts to combat the threat. The declaration supported the United Nations Commission on Crime Prevention and Criminal Justice Resolution 2013/40 on crime prevention and criminal justice responses to illicit trafficking. It laid the foundation for bilateral and regional cooperation to prevent, fight and eradicate illicit wildlife trade, which includes timber trafficking.
West African Strategy to Combat Wildlife Crime	This framework programme strengthens, coordinates and operationalizes national and regional policies aiming to tackle wildlife crimes in West Africa.

STEP 2.
TRAINER TO GIVE AN OVERVIEW OF THE CITES

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES, 1975) is a binding international legal instrument protecting and regulating international trade in both flora and fauna by using a permit system. In the ECOWAS region, member states have acceded to CITES. At its inception, the treaty protected 18 species of timber, and this number has grown to 350 (Groves and Rutherford, 2016).

CITES requires that the import, export and re-export of timber species listed in the CITES appendices receive prior authorization through a licensing system. These documents are useful in verifying the origin and legality of CITES-listed timber species, which is at the core of the CITES trade processes. All states must designate management authorities to administer the licensing system.

- A useful summary of permits and certificates in CITES is available here: https://cites.org/sites/default/files/eng/prog/exemptions/SUMMARY-OF-USE-OF-PERMITS-CERTIFICATES-IN-CITES-2018.pdf
- A standard CITES form is available here: https://cites.org/sites/default/files/eng/res/12/E-Res-12-03R16-A2.pdf

Trainer to present the CITES species classification system:

- **The species covered by CITES are classified as follows:**
    - species threatened with extinction – listed in Appendix I;
    - species not necessarily threatened with extinction but in which trade must be controlled in order to avoid use incompatible with their survival – listed in Appendix II; and
    - species that are protected in at least one country, which has asked other CITES parties for assistance in controlling the trade – listed in Appendix III.
- **Distinct categories have been created to show the level of alignment or compliance of member states with CITES (Table 5).**

Table 5. *Summary of CITES appendices*

APPENDIX I	*APPENDIX II*	*APPENDIX III*
► endangered species; ► strict regulation is imposed; ► trade is prohibited with few exceptions, for example, for academic purposes;	► threatened species; ► trade with permits only allowable; ► sustainable use only;	► optional listing; ► at request of one country; and ► request for assistance controlling trade in species listed here.

Source: Author's own elaboration.

The implementation of CITES obligations requires that policy, powers, rights, duties and procedures be outlined in national legislation. The failure to domesticate CITES into national laws is a major setback for many countries in West Africa. This means less application of treaty provisions and a continuing high rate of illegal logging and timber trafficking. As shown in Table 4, CITES member states are classified into three categories according to whether the treaty is domesticated and working effectively.

According to the *Comparative legal study on forests in West Africa*. *Strengthening the legal forestry framework*, to address cross-border challenges and deforestation trends in the Upper Guinea tropical forest and Sahel ecosystems (FAO, 2024), Côte D'Ivoire promulgated relevant legislation and moved from category 3 (non-compliant country) to category 1. This positive development gives law enforcement agencies legal grounds to sanction illegal timber trade. Guinea's legislation does not meet all CITES implementation requirements. Following a 2013 recommendation to suspend trade, Guinea has carried out a significant number of reforms, including the adoption of the Wildlife Protection Code and hunting regulations and has implemented regulatory measures on the protection of species of wild fauna and flora. Guinea is working on other regulatory measures to fully meet the conditions required for CITES implementation.

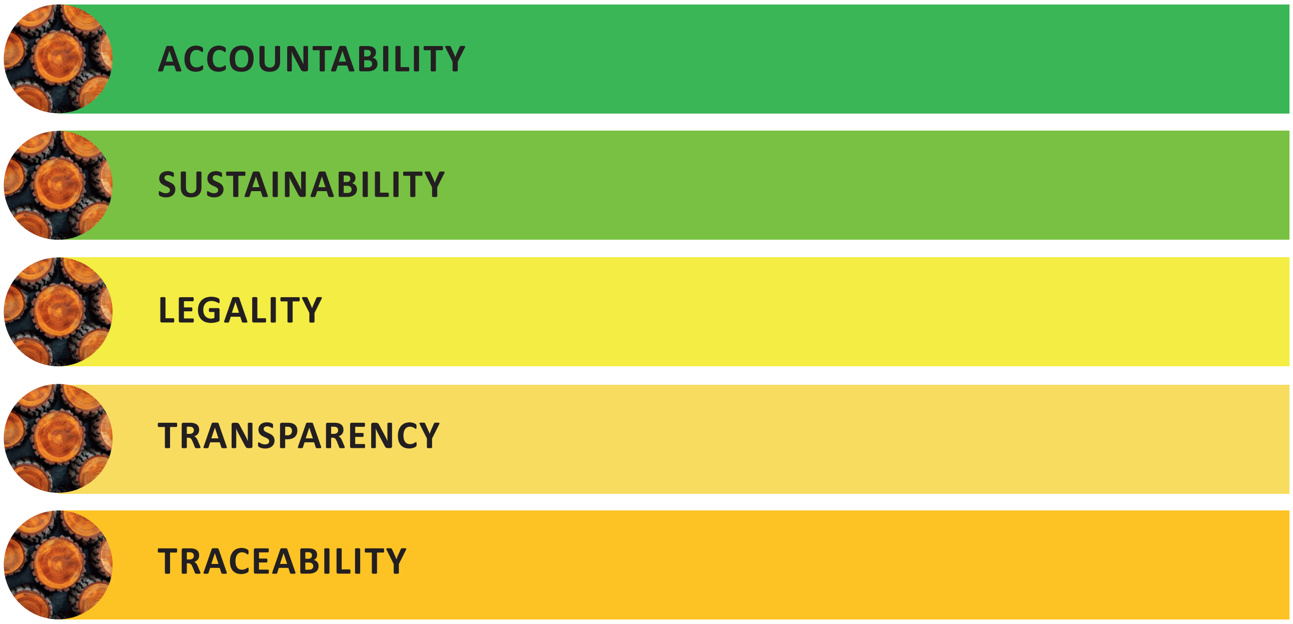
Other non-fully compliant countries such as Gambia, Ghana, Liberia, and Sierra Leone are developing pieces of legislation to meet this requirement. For example, in Ghana, the Wildlife Resources Management Bill was passed in May 2023, and Liberia developed The Wildlife Conservation and Protected Area Management Law, which is currently still under review.

Overall, many challenges impede the implementation of CITES, including:

- limited coordination between law enforcement agencies at the national and local levels;
- wildlife or forestry law enforcement officers often lacking parity with counterparts in customs and police services;
- limited training opportunities and
- poor governance.

STEP 3.
TRAINER TO PRESENT THE CITES CERTIFICATION SYSTEM

Figure 7. *Benefits of using the CITES permit system*



Accountability: Permits show what species are being extracted or can be traced from a particular country or region. This may encourage transparency in that permits are public documents subject to inspection by different enforcement agencies, and in some locations, such as Ghana, information is available and accessible to civil society and the public. Legal extraction will allow for scientific authorities to monitor quantities of timber and issue quotas for the harvest of timber species, thereby ensuring sustainable use of forests.

Source: Adapted from CITES, n.d.In: Benefits of Joining. [Cited 16 May 2024].
https://cites.org/sites/default/files/eng/news/pr/2016/Benefits_of_joining_CITES_REV.pdf

Legal and sustainable forest value chains have the biggest potential to contribute to meeting sustainable development goals. In terms of the timber trade, legitimate timber markets are contaminated by the supply of illegally acquired timber (UNODC, 2020). This is why it is important to critically analyse the commercial timber supply chain in your country and identify any target major threats within the chain and in and around protected areas to address the weak parts of the forestry chain (Goncalves et al., 2012). This is evidenced by multiple seizures across the world as legitimate shipping businesses are often caught with undocumented, unverified timber (EIA, 2021).

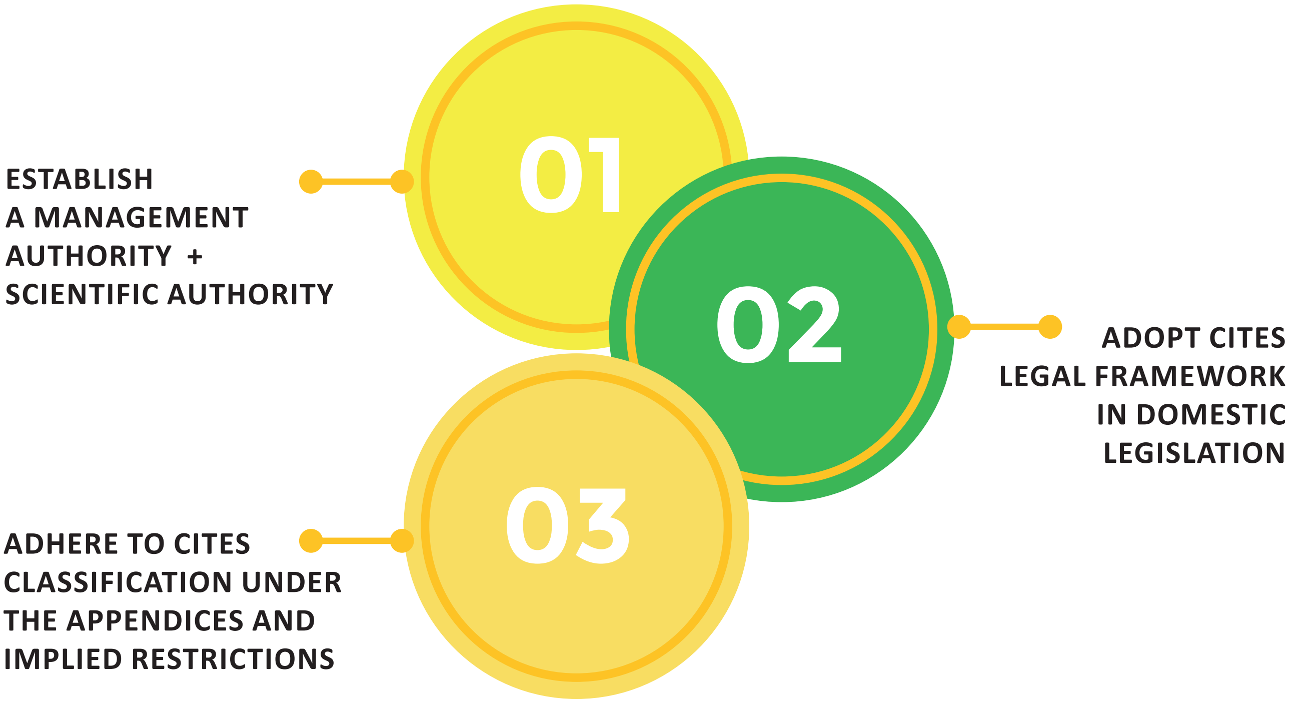
Effective enforcement begins by understanding the value chain and strengthening the legal processing or trade in timber. This makes the chain less susceptible to any form of manipulation by commercial entities or organized crime groups.

ACTIVITY

DISCUSSION QUESTION

1. **How does CITES work in your country? Please elaborate your answer, by giving concrete examples.**

Figure 8. *CITES requirements*


01
ESTABLISH A MANAGEMENT AUTHORITY + SCIENTIFIC AUTHORITY
02
ADOPT CITES LEGAL FRAMEWORK IN DOMESTIC LEGISLATION
03
ADHERE TO CITES CLASSIFICATION UNDER THE APPENDICES AND IMPLIED RESTRICTIONS

Source: CITES. 1973. Text of the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Washington DC. https://cites.org/sites/default/files/eng/disc/CITES-Convention-EN.pdf

Globally, member states must meet the requirements illustrated in Figure 9 for successful implementation of CITES at a local level. As shown in Table 5, CITES categorizes flora into three appendices based on the threat of extinction of species. These appendices offer varying levels of protection. The listing of species under a particular appendix may be altered every three years when member states vote and decide whether to add or remove timber species on the list, and species recommended to be included in Appendix III may be removed by the recommending management authority.

Only CITES specimens accompanied by valid permits and meeting all other legislative requirements are allowed to enter or leave a country that is party to the agreement. Very few exceptions apply under Appendix I, which allows for the importation or exportation of protected timber species facing extinction.

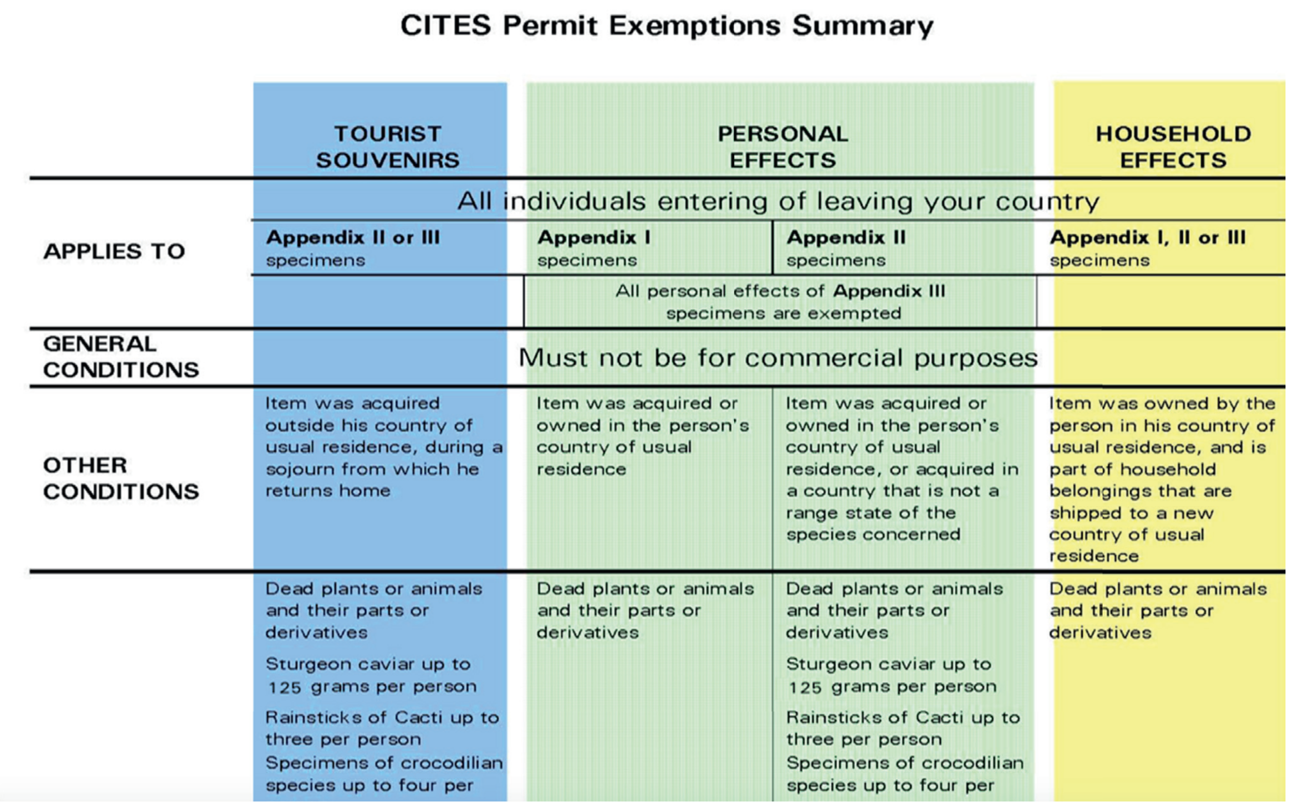
Table 6. *Categories for compliance of CITES member states*

CATEGORY 1 COUNTRIES WITH LAWS WHICH COMPLY AND IMPLEMENT THE GENERAL REQUIREMENTS OF CITES	*CATEGORY 2* COUNTRIES WITH LAWS WHICH DO NOT MEET ALL REQUIREMENTS FOR THE IMPLEMENTATION OF CITES	*CATEGORY 3* COUNTRIES WITH LAWS THAT DO NOT MEET REQUIREMENTS FOR CITES IMPLEMENTATION
Côte d’Ivoire	Burkina Faso	Niger
Nigeria	Guinea	
Senegal	Togo	
	Gambia	
	Cabo Verde	
	Benin	
	Liberia	
	Mali	
	Ghana	

Source: Extracted from the Status of legislative progress for implementing CITES (updated November 2023). In CITES. [Cited 16 May 2024]. *https://cites.org/sites/default/files/documents/legislation-status/legislation-status.pdf*

Note: Author updated information to reflect latest country changes of category for legislation.

Figure 9. *CITES Permit exemptions summary*



CITES Permit Exemptions Summary

	TOURIST SOUVENIRS	PERSONAL EFFECTS		HOUSEHOLD EFFECTS
APPLIES TO	All individuals entering of leaving your country			
	Appendix II or III specimens	**Appendix I** specimens	**Appendix II** specimens	**Appendix I, II or III** specimens
		All personal effects of **Appendix III** specimens are exempted		
GENERAL CONDITIONS	Must not be for commercial purposes			
OTHER CONDITIONS	Item was acquired outside his country of usual residence, during a sojourn from which he returns home	Item was acquired or owned in the person's country of usual residence	Item was acquired or owned in the person's country of usual residence, or acquired in a country that is not a range state of the species concerned	Item was owned by the person in his country of usual residence, and is part of household belongings that are shipped to a new country of usual residence
	Dead plants or animals and their parts or derivatives Sturgeon caviar up to 125 grams per person Rainsticks of Cacti up to three per person Specimens of crocodilian species up to four per	Dead plants or animals and their parts or derivatives	Dead plants or animals and their parts or derivatives Sturgeon caviar up to 125 grams per person Rainsticks of Cacti up to three per person Specimens of crocodilian species up to four per	Dead plants or animals and their parts or derivatives

Source: CITES. 1973. Text of the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Washington DC. *https://cites.org/sites/default/files/eng/disc/CITES-Convention-EN.pdf*

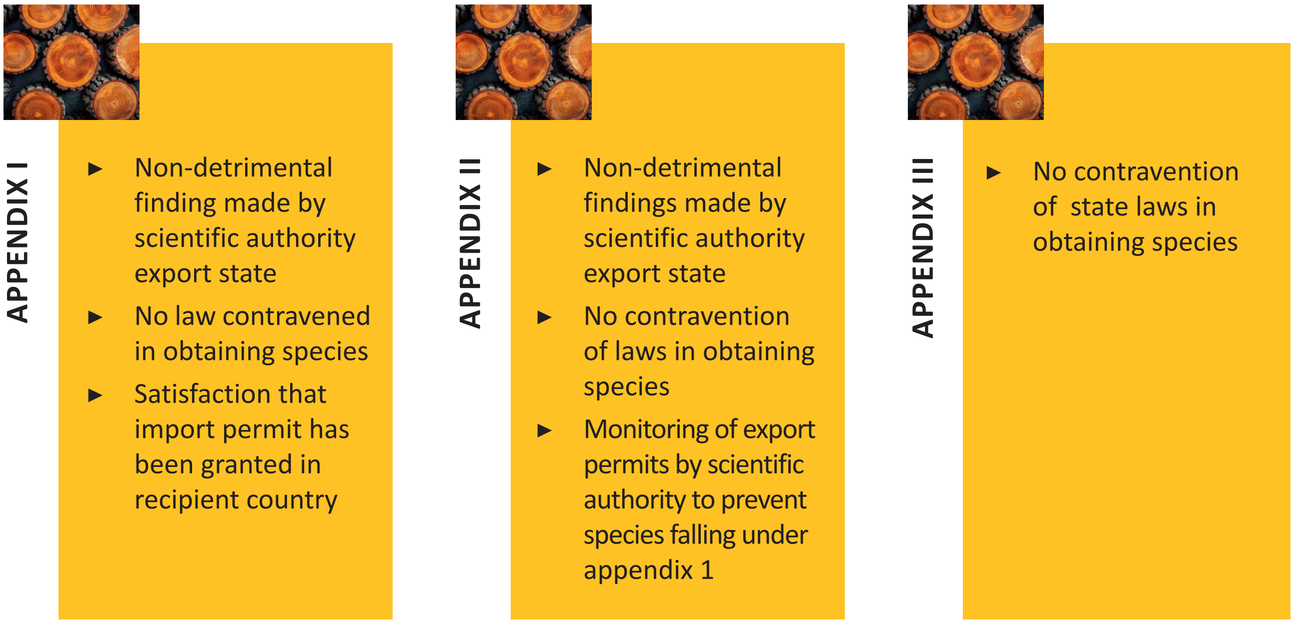
ACTIVITY

FAMILIARIZE YOURSELF WITH BASIC CITES CONCEPTS BY TAKING FREE TRAINING:

1. **Follow the link to CITES Virtual College: https://cites.org/eng/virtual-college/training.**
2. **Create a guest account to access general training material.**
3. **Try one short training.**
4. **To see permit exceptions listed in Figure 10 check out the permit exception summary here: https://cites.unia.es/cites/file.php/2/files/pes.pdf.**

Prerequisite conditions for an export permit to be issued by a member country vary according to the appendix under which a particular species of timber falls. Each appendix imposes restrictions on trade based on the level of threat the species is under. As depicted in Figure 10, more conditions or requirements are to be met in the case of species facing extinction under Appendix 1.

Figure 10. *Requirements for issuance of CITES export permit*



APPENDIX I

- Non-detrimental finding made by scientific authority export state
- No law contravened in obtaining species
- Satisfaction that import permit has been granted in recipient country

APPENDIX II

- Non-detrimental findings made by scientific authority export state
- No contravention of laws in obtaining species
- Monitoring of export permits by scientific authority to prevent species falling under appendix 1

APPENDIX III

- No contravention of state laws in obtaining species

Source: CITES. 1973. Text of the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Washington DC. https://cites.org/sites/default/files/eng/disc/CITES-Convention-EN.pdf

Non-detrimental findings

Under Appendix II, the scientific authority has a very critical responsibility of monitoring the populations of a species subject to trade to ensure that the Appendix II–listed species does not become critically endangered. This means that the scientific authority of the state of export assesses whether such export will restrict the number of species that may be subject to export. In the case of the importation of species, the scientific authority of the country of origin must give such a determination before such importation can be allowed.

Legal acquisition findings

The management authority is obliged to verify whether the species intended to be traded in has been acquired legally with no violation of any national regulations or licensing.

Table 7. *General roles of management and scientific authorities*

MANAGEMENT AUTHORITY	SCIENTIFIC AUTHORITY
Exercise due diligence by verifying import permits	Issue a non-detrimental finding where any trade in this species will not be destructive to the species populations or detrimental to survival of the species
Verify validity of CITES documents for shipments	Provide expert advice to management authorities on trade species
In cases of violation, enforce CITES through national laws	Provide scientific assessments of status of species, population and threats faced
Strengthen trade controls, for example, issuance of permits and interagency coordination	

Sources: Author's own elaboration.

The scientific authority has the responsibility to issue a non-detrimental finding. A non- detrimental finding is a finding that any trade in this species will not be destructive to the species' populations or detrimental to the survival of the species. This can be in written form, a verbal finding, or issued as a quota. The principle of sustainable use of flora and fauna lies at the core of this requirement.

Trainer to present the relevant management authorities:

The management authority of a member country may issue a non-detrimental finding only when disposing of illegally traded, confiscated or accumulated species. In cases of export or import with a country that is not a member of the treaty, management authorities of member states may accept documentation equivalent to those required under CITES. These documents must come from competent management or scientific authorities listed as such in the CITES Registry online.

Table 8. *Management authorities in West African countries*

Benin	Ministère du cadre de Vie et du Développement Durable – Direction Générale des Eaux, Forêts et des Chasse
Burkina Faso	Ministère de l’Environnement et des Ressources Halieutiques – Direction de la Faune et des Chasses
Cabo Verde	Ministério da Agricultura e Ambiente – Direçaó Nacional do Ambiente
Côte d’Ivoire	Ministère des eaux et forêts – Direction de la faune et des ressources cynégétiques
Ghana	Forestry Commission – Wildlife Division
Guinea	Ministère de l’Environnement et du Développement Durable – Direction Nationale des Forêts et de la Faune
Guinea-Bissau	Ministry of Environment, Biodiversity and Climate Change
Liberia	Forestry Development Authority
National Fisheries and Aquaculture Authority	
Mali	Ministère de l’Environnement, de l’assainissement et du Développement durable – Direction Nationale des Eaux et Forêts
Niger	Ministère de l’Environnement et de la lutte contre la Désertification
Nigeria	Federal Ministry of Environment – Federal Department of Forestry
Senegal	Direction des eaux, forêts, chasses et de la conservation des sols
Sierra Leone	Ministry of Agriculture, Forestry and Food Security – Forestry Division
Gambia	Department of Parks and Wildlife Management
Togo	Ministère de l’Environnement et des Ressources Forestières – Direction des Ressources Forestières

Sources: Author’s own elaboration.

STEP 4.

TRAINER TO PRESENT THE CITES SYSTEM OF SANCTIONS

CITES uses sanctions as a tool to address violations of the convention by member states. Committees are established to monitor and evaluate countries' level of compliance with the obligations of the treaty. Article XII CITES provides measures that can be implemented when states do not comply with obligations, for instance, trade suspensions such as suspension of import and export of listed timber species. A panel of experts may review noncompliance and recommend how the issue may be resolved. Capacity-building measures may be recommended.

International treaty sanctions such as trade suspension are made as a final redress, and engagement with member states is attempted before the imposition of restrictions.

ACTIVITY

READ THE FACTS AND ANSWER THE FOLLOWING QUESTIONS:

Facts

Trade in *Pterocarpus erinaceus* has been restricted and the timber species has been listed in Appendix I. A truck full of timber *Pterocarpus erinaceus* is discovered near Djoudj and Diawling Transboundary Biosphere Reserve, on the Senegal side. The driver produces transportation permits and export permits showing that the timber is due to exit the border transit through Mauritania and be shipped to Europe.

Questions

1. **EXPLAIN THE LEGALITY OF THE PERMITS ISSUED IN THE SET OF FACTS ABOVE.**
2. **WHAT NEXT STEP WOULD YOU TAKE TO ESTABLISH THE LEGALITY OF DOCUMENTS?**
3. **WHAT ARE THE REQUIREMENTS FOR THE ISSUANCE OF AN EXPORT PERMIT FROM SENEGAL? IN YOUR ANSWER, EXPLAIN THE ROLE OF THE MANAGEMENT AND SCIENTIFIC AUTHORITIES.**
4. **WHAT WOULD HAPPEN IF THE TIMBER SPECIES RECOVERED WAS LISTED IN APPENDIX II?**

CITES TRAINING COURSES:

Take the following in-depth training courses on CITES. Allocate at least 20 minutes for each training course, with more time for longer courses.

To access the training modules, first create a guest account on the CITES Virtual College website.

1. *Module 1: Introduction to CITES and Non-Detriment Findings*
2. *Module 2: CITES Overview*
3. *Module 3: CITES Protected Species*
4. *Module 4: Understanding Non-Detriment Findings*
5. *Module 5: Final Application: Using Table II of the Checklist*

MODULE 2 LEARNING TAKEAWAYS

- International legal frameworks are binding and give member states standards of flora and fauna protection to set in their countries.
- CITES permits play a vital role in ensuring traceability and legal sustainable use of forests.
- Import and export requirements apply to timber based on the designated CITES appendix.

MODULE 2 TOOLKIT

- CITES training materials: https://cites.unia.es/cites/mod/resource/view.php?id=58.
- CITES as a tool for sustainable development:

  https://www.bgci.org/wp/wp-content/uploads/2019/04/CITES_module_1.pdf.pdf

  https://cites.org/sites/default/files/eng/app/2021/E-Appendices-2021-02-14.pdf.
- CITES and timber – A guide to CITES-listed tree species https://www.kew.org/sites/default/files/2019- 02/CITES%20and%20Timber_Second%20Edition.pdf.
- Species+: https://speciesplus.net/.
- COP Decision 2022/045: Outcomes of the expedited application of Article XIII for West African rosewood Pterocarpus erinaceus for all range states.
- COP19 Legal acquisition findings: https://cites.org/sites/default/files/documents/COP/19/resolution/E-Res-18-07- R19.pdf.
- *Legal acquisition findings: A handbook by Forest Trends and Center for International Environmental Law (CIEL)*: https://www.forest-trends.org/publications/legal-acquisition-findings-a-handbook/.

MODULE 3

Investigating forest crimes

KEY LEARNING OBJECTIVES

- understand what forest criminal offences are;
- identify key pieces of evidence to be gathered;
- understand prevention and detection of crimes; and
- learn more about building a forest crime case.

ADOPTION OF A STEPWISE APPROACH

The Trainer to:

STEP 1: Describe a forest crime

STEP 2: Present prevention, detection and investigation of forest crimes

STEP 3: Explain how to building a forest crime case

Activities (discussion questions and exercises) complete each step allowing interactive sessions and an active participation from the attendees

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STEP 1.
TRAINER TO DESCRIBE A FOREST CRIME

ACTIVITY

Based on the information provided under Module 1, trainer to facilitate a group discussion dealing with forest crimes:

DISCUSSION QUESTION

1. **How would you define forest crimes?**
2. **What are examples of forestcrimes?**

Trainer to sum up discussions with the following information:

Forest crime is an umbrella term covering all forms of criminal activity related to the forest sector (see "Key definitions" in Module 1). It encompasses various illicit activities related to forests and timber.

In French-speaking countries, where legal systems are based on civil law, there is a gradation of criminal offences: contravention; délit; crime. The so-called crimes refer only to the most serious offences.

As it concerns the timber supply chain, forest crimes might relate to the harvest, transportation processing, and selling of timber (INTERPOL, 2019).

Four main forms identified by INTERPOL are:

- The illegal exploitation of high-value endangered wood species (many of which are now CITES listed; INTERPOL, n.d.).
- Illegal logging in protected areas, outside concession boundaries, or on Indigenous land.
- Laundering of illegally harvested wood through plantations or agricultural companies as a front. Laundering is mingling illegally obtained wood with legally obtained wood through a legitimate company.
- Document fraud and misdeclaration to conceal illegal activity.

Therefore, illicit timber trafficking includes the transportation, exportation or importation of illegally acquired wood.

FOREST CRIME PATTERNS

- Forest crimes are organized crimes usually committed together with other related crimes. Different forms of crimes are committed to enable the commission of forest crimes (INTERPOL, 2019). For example, criminals may manipulate documents and engage in fraudulent practices to conceal illegal activities. This includes misdeclarations of timber origin, tax evasion and falsification of permits.
- Another example is using the internet to secure markets for illegal timber and non-timber products, money laundering or other forms of crime such as drug trafficking. This phenomenon is known as crime convergence.
- Criminals use different methods to illegally harvest, trade, import or export forest products. Forging permits and presenting these as legitimate documents is a way in which criminal syndicates ship off illegally acquired forest products. To facilitate such movement and override enforcement systems, these crime syndicates sometimes include a corrupt law enforcement official to approve these illegal false documents.

Table 9. *Activities and related criminal offences*

EXAMPLE OF ACTIVITY	RELATED CRIMINAL OFFENCES
Use of false documents permits or licence	Fraud
Paying off officials to induce an action or favour, for example, for documents, approvals, or release of illegal logs at check-points	Bribery, corruption
Public official receiving money to facilitate illegal dealings	Abuse of public office
Transfer and use of funds from sales of illegal timber trade	Money laundering
Using the internet to facilitate illegal trade	Internet crimes
Mining	Illegal mining in forest reserves protected areas or other restricted forest areas

Source: Author's own elaboration.

STEP 2.
TRAINER TO PRESENT PREVENTION, DETECTION AND INVESTIGATION OF FOREST CRIMES

ACTIVITY

Trainer to facilitate a discussion focusing on forest crime enforcement steps based on Figure 11:

Figure 11. *Prevention, detection and investigation methods*

PREVENTION	DETECTION	INVESTIGATION
FLEGT, CITES	Surveillance	Search
Open and transparent monitoring and governance	Covert operations	Seizures
Patrols	Patrols	Suspect interrogation
Awareness community campaigns	Informer network	Arrests
Police, forestry division public presence, i.e. checkpoints		

Source: Author's own elaboration.

DISCUSSION QUESTION

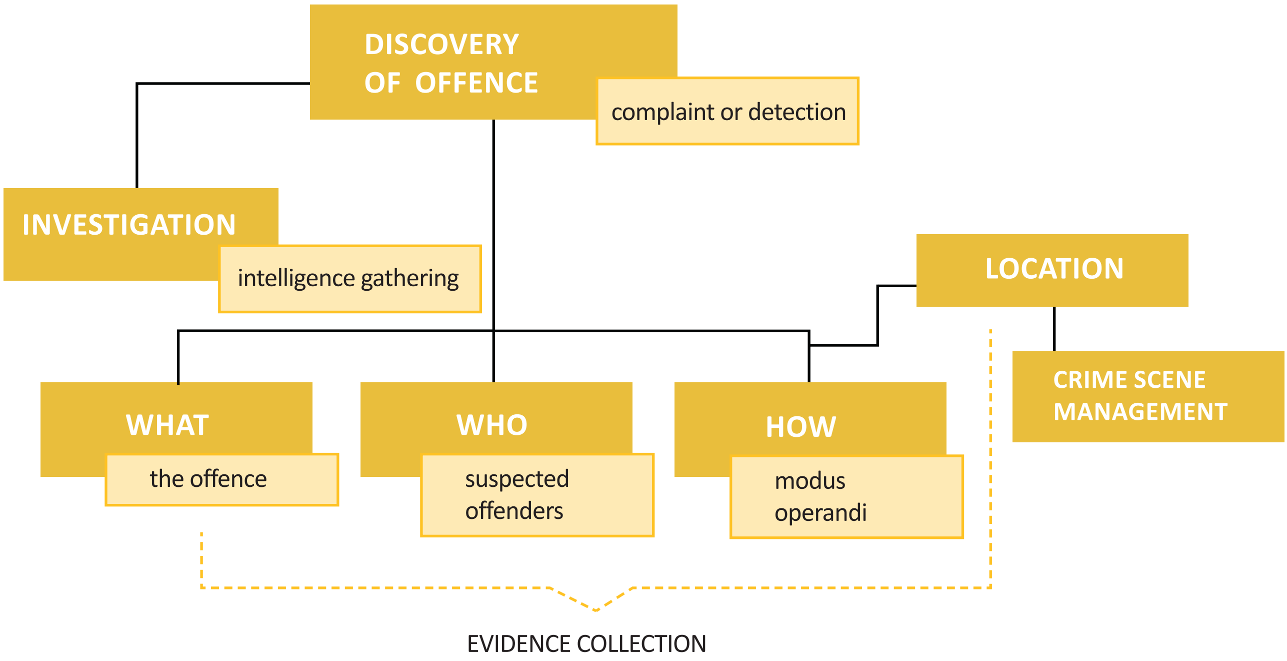
1. **What process do you follow when investigating a forest crime?**

Trainer to sum up the discussion and complete with the following information:

- *An investigation is a process of collecting and analysing information and taking the most crucial pieces as evidence that can be used to prove that a criminal offence has been committed. Law enforcement officers are to be held accountable for every action carried out during an investigation (Gehl and Plecas, 2016). In conducting arrests or interviews, officers must obey the human rights of persons under investigation. An officer must ensure that a person's rights are not unjustifiably limited. Unprocedural methods of detection or investigation may impede the process, as useful evidence may be rendered inadmissible, resulting in a waste of resources and time.*
- *Each investigation of detected forestry crime must be handled meticulously and using an interagency collaborative approach. The criminal procedure provisions of your country play a major role in how investigations are to be conducted. As this curriculum relates to different countries, a generalized checklist is shown in Figure 14 on how to build a strong case that the state can prove to the standard burden of proof (usually a higher standard beyond reasonable doubt).*

Trainer to present a mind map of the whole investigative process from the discovery of the offence to the courtroom (Figure 12).

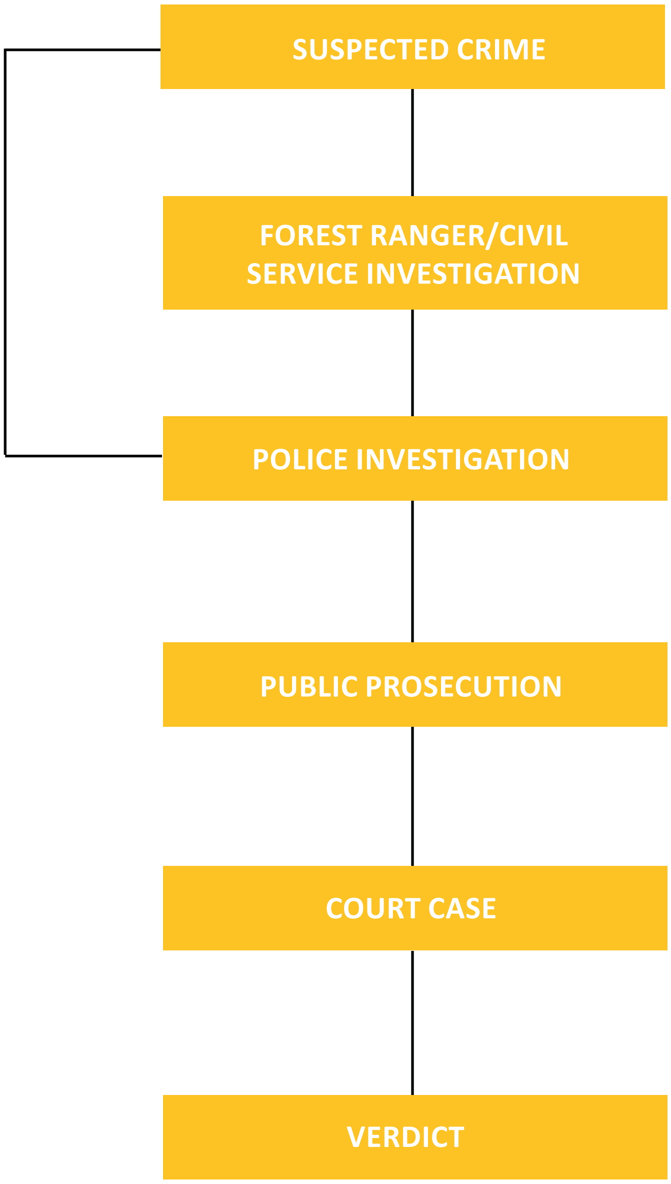
Figure 12. *Mind map of the investigation process*


DISCOVERY OF OFFENCE
complaint or detection
INVESTIGATION
intelligence gathering
LOCATION
CRIME SCENE MANAGEMENT
WHAT
the offence
WHO
suspected offenders
HOW
modus operandi
EVIDENCE COLLECTION

Source: Author's own elaboration.

STEP 3.
TRAINER TO EXPLAIN HOW TO BUILDING A FOREST CRIME CASE

Figure 13. *Processes in handling a forest-related crime*


SUSPECTED CRIME
FOREST RANGER/CIVIL SERVICE INVESTIGATION
POLICE INVESTIGATION
PUBLIC PROSECUTION
COURT CASE
VERDICT

PROCESSES IN HANDLING FORESTRY-RELATED CRIME

Source: Santoso, S. 2011. A guide to investigation and indictment using an integrated approach to law enforcement. CIFOR, Bogor, Indonesia. https://www.cifor-icraf.org/publications/pdf_files/Books/BSinaga1102.pdf

Trainer to facilitate an introductory discussion among participants on the best standards to build a case.

Trainer to sum up discussions and complete with the following information:

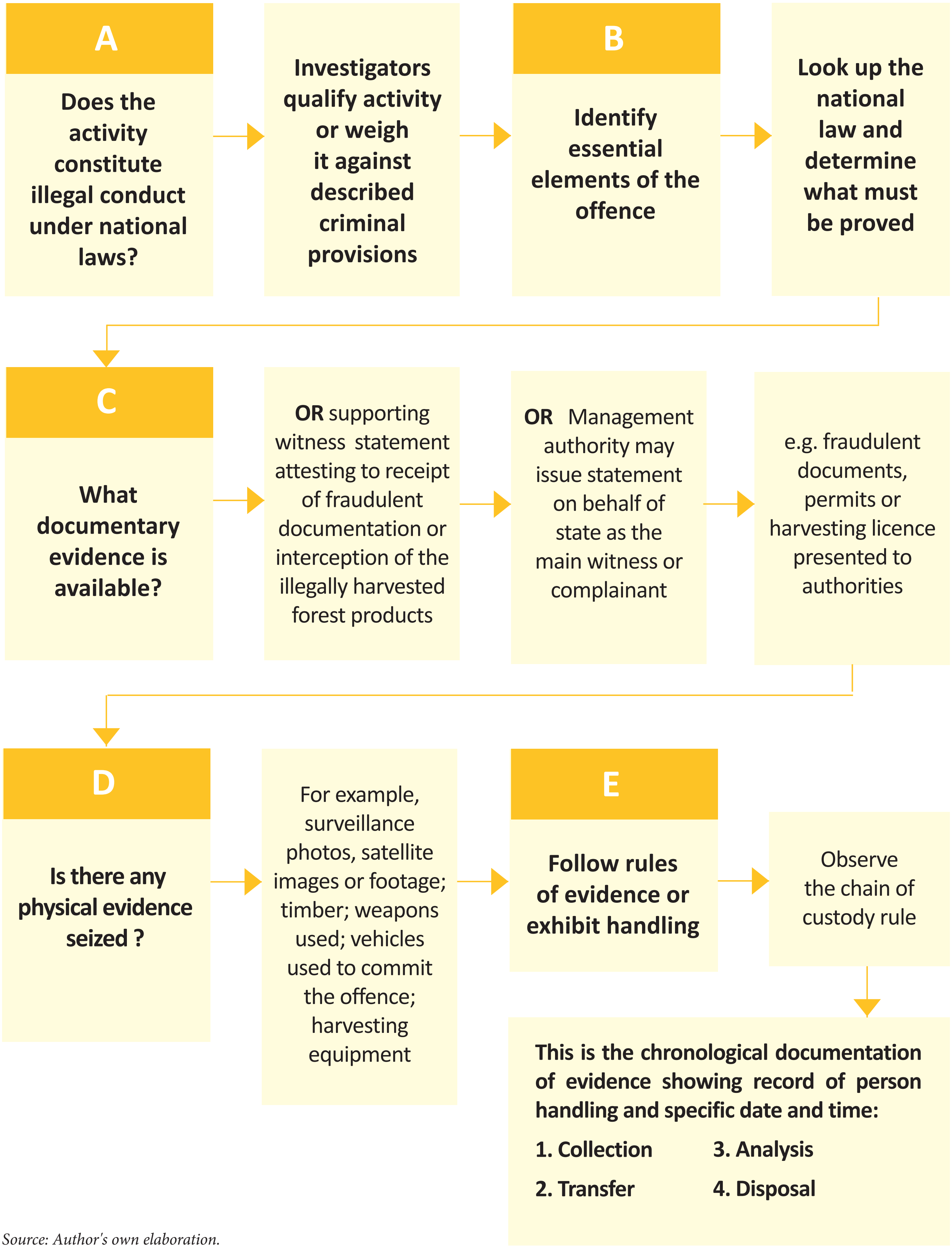
- A successful prosecution is the culmination of the work done in the field by forest rangers (from the patrol stage) to the police investigation stage or the forestry administration acting as criminal investigation officers, and finalization in court. You may be surprised that as a ranger, you are part of the case-building stage.
- A criminal case starts not when forestry rangers hand over accused persons to the police but at the point of checks and detection.

Checks are carried out at three main stages along the supply chain:

  - On forestry sites – in base camps rather than in forests. In practice, the costs incurred by such checks sometimes fall on operators.
  - On main transport roads, at roadblocks.
  - At customs – in particular where timber is shipped by boat.

- The actions of first responders may render the rest of the investigation useless or useful. Therefore, the skills of building a case are very relevant to your work. It is necessary to meticulously follow the law from the point of checks, detection, arrest, search and seizures, and questioning of suspects to the point of handover to the police. In some West African countries, prosecutorial powers have been given to forestry institutions. This module is a good reference point.
- The checklist in Figure 14 provides a basic guideline; each officer must consider national laws and carefully weigh and consider each case on its own merits and circumstances. It is impossible to predict how crimes may be committed. In collecting evidence, the officer must rule out all other plausible theories discrediting the theory that a crime has been committed. This means a thorough and objective investigation must be carried out without bias obscuring the perception of the investigator.

Figure 14. *Checklist for building a case*



A

Does the activity constitute illegal conduct under national laws?

Investigators qualify activity or weigh it against described criminal provisions

B

Identify essential elements of the offence

Look up the national law and determine what must be proved

C

What documentary evidence is available?

OR supporting witness statement attesting to receipt of fraudulent documentation or interception of the illegally harvested forest products

OR Management authority may issue statement on behalf of state as the main witness or complainant

e.g. fraudulent documents, permits or harvesting licence presented to authorities

D

Is there any physical evidence seized ?

For example, surveillance photos, satellite images or footage; timber; weapons used; vehicles used to commit the offence; harvesting equipment

E

Follow rules of evidence or exhibit handling

Observe the chain of custody rule

This is the chronological documentation of evidence showing record of person handling and specific date and time:

1. Collection

2. Transfer

3. Analysis

4. Disposal

Source: Author's own elaboration.

EXPLANATION OF THE CHECKLIST

A THE LEGALITY OF THE ACTIVITY

Upon detecting a possible crime or receiving a complaint that a crime has been committed, it must first be ascertained before proceeding with the investigation whether the activity is legal.

As an investigator, you must weigh the activity and decide whether it qualifies as an infringement of key provisions of national law. Knowledge of key pieces of legislation is valuable for an investigating officer. Examples of factors verified at this stage are the identity of offenders; date, time and location of criminal activity; and modus operandi. The designation of site of harvest is also important, as most legislation will specify restricted areas in which logging is prohibited.

B IDENTIFICATION OF KEY ELEMENTS OF THE OFFENCE

is also important as it can guide you in identifying what evidence is required to successfully prove a case before the court.

C WHAT DOCUMENTARY EVIDENCE IS NECESSARY TO SUBSTANTIATE YOUR CASE?

It is very important for officers, especially prosecutors who direct investigations, to know the type of evidence they may use to prove their case. In Ghana, for example, Forestry Commission officers above the rank of technical officer have a mandate to prosecute some of these crimes and therefore must know what evidence is required to build a strong case (FAO, 2023). Similarly, to build a substantive case, police investigators must know what evidence is relevant and admissible to prove the criminal case. Interviews and inspection of the site are useful tools for gathering information on how the offence was committed.

Illegal logging documentary evidence may include illegally generated or forged harvesters' licences or transport leases. In cases of timber trafficking, the UNODC (2016) best practice guide gives guidance for the administrative assessment of documents and key questions to ask.

An examination of export or import permits, customs documents or invoices is very important. The investigator must verify the authenticity of documents by contacting key authorities.

EXPLANATION OF THE CHECKLIST

UNODC guidance on assessing documents (UNODC, 2016)

- Are any documents missing?
- Are documents authentic?
- Are all CITES permits and certificates valid?
- Does the information on all documents, including customs documents, match?

Forensic examination reports identifying the timber species, age, genus and origin constitute documentary evidence showcasing the characteristics of the timber and may aid in proving that the species falls under CITES Appendix I, under which trade is prohibited. Testimonies from key witnesses who saw the commission of the offence are helpful. In complex cases requiring technical or specialized knowledge, an expert witness statement may be summoned before the court. Therefore, when compiling your docket consider whether there are any contentious issues arising that may need an expert's opinion in court.

It is also important for the investigating officer to take notes that may become admissible as the trial progresses; the investigating officer may be requested to give a statement as well. GPS coordinates may be presented as documentary evidence and may be useful in confirmation of the location. Alternatively, a gazette notice confirming the land's status may be relevant. Photographs may also be taken at the scene of the crime and presented in court as exhibits.

D IS THERE ANY PHYSICAL EVIDENCE SEIZED?

Physical evidence is any tangible object that can be used to establish the commission of an offence or to establish a link between the suspect and the crime scene (U.S. Fish and Wildlife Service, 2019). Vehicles and implements used, forestry produce, timber, weapons or any other item used in the commission of the offence may be recovered during investigations or when a crime is detected.

An item that the accused person borrowed from another person or entity that is used as an instrument in the commission of a crime must not be released; it should be seized as an exhibit that can be produced in court as evidence. In most cases, upon completion of the trial, an application of forfeiture of the item may be brought before the court, and some countries make provision for third parties to make applications claiming ownership of such items.

E FOLLOW RULES OF EVIDENCE OR EXHIBIT HANDLING

The integrity and admissibility of evidence in criminal proceedings are ultimate considerations affecting pieces of evidence brought before the court. This means that the (procedural) way you acquire and handle exhibits as a law enforcement officer determines whether you can use these pieces of evidence to establish the clear circumstances of the case and is critical in determining the guilt or innocence of an accused person (U.S. Fish and Wildlife Service, 2019).

Chain of custody (the continuity of evidence) is a process of thorough documentation and control measures used from the initial collection of evidence to its eventual production in court proceedings. It is used to create a secure and unbroken link that chronologically traces the custody, possession and handling of evidence throughout its journey in the criminal justice system (Iresearchnet, 2023).

Proper preservation of evidence, including handling, packaging and storage procedures, detailed record-keeping, and a proper chain of custody are maintained for each item of evidence. Such a chain will minimize the chance of loss or substitution of material and help to prove the origin and veracity of specimens or exhibits. The chain should always be as short as possible, and, ideally, it should not include anyone who is unwilling to appear in court or is unlikely to be a reliable witness. This cannot always be determined beforehand. Wildlife and forestry cases can be contentious and divisive, especially when someone's livelihood, freedom or reputation is at stake.

ACTIVITY

Trainer to facilitate a discussion about the ways to improve communities' participation in law enforcement efforts.

DISCUSSION QUESTIONS

1. **How can communities participate in the prevention, detection and suppression of forestry crimes? Share common practices in your region.**
2. **Do you have a whistleblower programme? Describe how it works.**

Trainer to conclude and sum up:

- *A crucial factor in law enforcement is the relationship between forestry management institutions and the community, as they are a crucial part of law enforcement efforts or forestry management. If the community is hostile towards the institutions or vice versa, a serious disconnect can result and lead to fewer collaborative efforts to reduce illegal logging in the forests.*
- *A whistleblower is a person who discloses information concerning a potential violation of forestry law. Disclosure sometimes occurs under a reward-based protection programme (National Whistleblower Center, 2019). Whistleblower programmes are highly beneficial to law enforcement. Such programmes provide incentives for reliable and credible information in any circumstances involving illicit timber trafficking, corruption or bribery in forestry protection.*
- *Community forest monitoring initiatives, such as ForestLink[2] piloted in Liberia and Ghana, can also help to control forest activities and detect illegalities. Technology connects communities and law enforcement agencies to monitor tropical forests in real time. In Côte d'Ivoire, an independent forest monitoring programme is recognized by law (in the Forestry Code[3] [4] and Decree no 2021-441 of 8 September 2021) and primarily revolves around civil society organizations.*
- *Community awareness programmes are important in educating citizens about the existence of a whistleblower programme and the rewards and protections it offers to cooperating persons. It is important to also include in such programmes the impact of illegal logging and teaching sustainable practices. Local communities' participation in the use of natural resources, forestry management, and protection are also especially important in preventing, detecting, and combating illicit timber trade. In regions of conflict or violent syndicate involvement in illegal timber trafficking, communities may be unwilling to come forward with information; in such cases anonymous tip hotlines may be set up to allow such disclosure. It is therefore important that forestry or wildlife rangers and investigating officers understand the varied factors at play and their role in curbing these environmental crimes.*

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[2] See https://www.mappingforrights.org/resource/unlocking-the-potential-of-forest-guardians/

[3] See https://www.eauxetforets.gouv.ci/sites/default/files/communique/le_code_forestier1_0.pdf

[4] See https://www.fao.org/faolex/results/details/es/c/LEX-FAOC207846/

TRAINER TO FACILITATE GROUP EXERCISE

Facts

Five trucks full of ekki logs have been found by the Liberia National Police outside the Kasa sawing mill in Gbarpolu County in Liberia. The five trucks were hired from Common Logistics to transport the timber, valued at over USD 60 000. The company was engaged by one local man, Dawoda, who claims to have been engaged by an Asian man. Upon questioning, it has come to light that the intercepted timber was going to be exported to Asia-Pacific through the Freeport of Monrovia within a few days. To prove that the transaction is legitimate, Common Logistics produces fake harvest permits, licences, transportation documents and export permits. Further investigations show that the logs came from Weimu village, where Dawoda paid locals to assist with logging of trees without a Forestry Development Authority licence.

CRIMINAL ACTIVITY	ESSENTIAL ELEMENTS	EVIDENCE TO BE COLLECTED
Illegal logging	Cutting down activity ▶ no legal authority such as a permit	....
Attempting to export timber without complying with export regulations and permits (timber trafficking)	......	......

Questions

1. **WHAT ARE THE ESSENTIAL ELEMENTS OF THE ILLEGAL LOGGING CRIME? DISCUSS WITHIN YOUR GROUP AND LIST THESE IN THE TABLE ABOVE.**

2. **WHAT EVIDENCE WOULD YOU COLLECT? LIST THIS INFORMATION IN THE THIRD COLUMN.**

3. **CONSIDER THE FOLLOWING:**

   a. Does the law or do good practices allow for community members to be guardians and informants?

   b. What are the critical ingredients for promoting community stewardship of the forests and forest resources? How can you promote their use in your jurisdiction?

   c. Does the legal framework pertaining to your jurisdiction support community rights and responsibilities for sustainably managing forest resources? To start, look at the relevant sections of the project’s national legal reports, and then discuss among yourselves.

MODULE 3 LEARNING TAKEAWAYS

- Evidence gathering must comply with national criminal procedure provisions to ensure admissibility in court.
- In building a case, an investigator must follow these steps:
  - establish illegality of conduct;
  - identify key elements of the offence;
  - establish what documentary evidence is necessary to substantiate the case;
  - collect physical evidence;
  - record evidence items handling; and
  - follow all rules of procedure.
- The involvement of communities in forestry protection may be useful to various stages of building a case, which includes crime detection and intelligence gathering for building a criminal case.

MODULE 3 TOOLKIT

- Investigating illegal timber – A guide for activists and communities: https://www.earthsight.org.uk/media/download/852.
- Using situational crime prevention https://www.fauna-flora.org/wp-content/uploads/2021/12/Using-situational-crime-prevention-to-address-illegal-wildlife-trade-Toolkit-pdf-English-2023.pdf.
- Introduction to criminal Investigation – Processes, practices and thinking: https://pressbooks.bccampus.ca/criminalinvestigation/.

MODULE 4

Transboundary cooperation in combating forest crimes in West Africa

KEY LEARNING OBJECTIVES

- understand challenges in implementing transboundary agreements for combating forest crimes in West Africa;
- understand the importance and effectiveness of transboundary cooperation in forestry management;
- learn the cooperation mechanisms that can be implemented.

ADOPTION OF A STEPWISE APPROACH

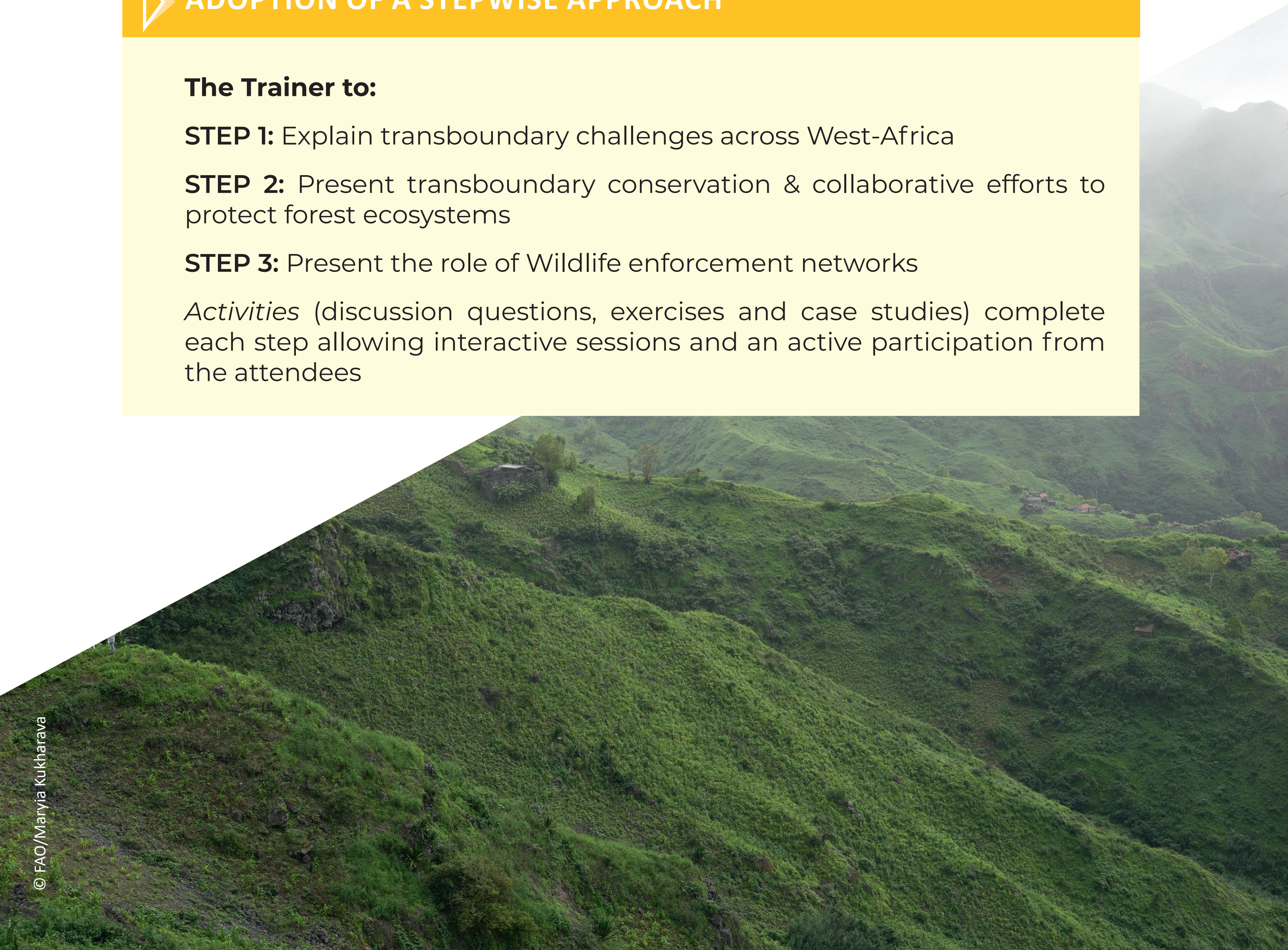
The Trainer to:

STEP 1: Explain transboundary challenges across West-Africa

STEP 2: Present transboundary conservation & collaborative efforts to protect forest ecosystems

STEP 3: Present the role of Wildlife enforcement networks

Activities (discussion questions, exercises and case studies) complete each step allowing interactive sessions and an active participation from the attendees



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STEP 1.

TRAINER TO EXPLAIN TRANSBOUNDARY CHALLENGES ACROSS WEST AFRICA

Figure 15. *General regional challenges hindering transboundary cooperation*

COMPLEX WILDLIFE LAW ENFORCEMENT CHAIN MAKES COORDINATION DIFFICULT

LACK OF NATIONAL POLITICAL WILL

SENSITIVE NATURE OF INFORMATION = UNWILLINGNESS OF GOVERNMENTS TO SHARE INFORMATION

SUSTAINABILITY OF REGIONAL COORDINATING BODIES = LIMITED FUNDING FOR ACTIVITIES

HISTORICAL DIFFERENCES ARISING OVER A BORDER HAMPERS COLLABORATIVE WORKS

Source: Author's own elaboration.

- In the **Mano River Union**, Côte d'Ivoire, Guinea, Liberia and Sierra Leone share borders in the substantial Upper Guinea forest ecosystem. The region is rich in biodiversity and contains a significant number of species that are classified as threatened, vulnerable or endangered and have the forests as their natural habitat. However, over the years there has been great forest loss in the Upper Guinea forest and the rest of the West African region, depleting biodiversity at alarming rates (FAO, 2024). Major challenges persist in the implementation of transboundary cooperative activities.
- The **limited availability of funding in forest management agencies** has impeded the implementation of transboundary cooperation agreements across borders in West Africa. The implementation of joint management agreements for law enforcement requires staffing, finances, vehicles for patrols and fuel, which are all very limited. Agencies must prioritize areas of urgent need and determine which parts or areas require the most protection. The lack of funding leads to little or no implementation of the transboundary conservation effort. It is important to note that this results in weak monitoring and enforcement in these areas.

- **Power patronage**. The World Resource Institute identified power patronage as a cause of non-enforcement of forestry laws or failure to implement agreed MOUs for transnational management. Power patronage is defined as the use of forests as a source of political power in which the government pays loyalists and political allies using the forests by issuing logging licences to forests and sometimes practising impunity by not punishing illegal logging activity by specific privileged individuals (Hanson *et al.*, 2019). Therefore, in some instances, there is no political will to allow new cooperation agreements to thrive. Corruption also arises in many instances of this nature.

CASE STUDY

The Gambia is surrounded by Senegal on all sides, except for its coastline on the Atlantic Ocean. Some forest resources and national parks straddle the countries' borders. Two major transboundary challenges between these two countries are charcoal production and trade, and timber trade in the Casamance region. The Gambia Legal Study on Forests under the Global Forest Project[5] established that the absence of collaboration between the governments of the Gambia and Senegal, as well as the lack of harmony between the laws of the countries, are factors that contribute immensely towards deforestation of the forest cover in both countries.

Currently, the Gambia has only 50 percent of its original forest cover remaining; 70 percent of this 50 percent is regarded as degraded. Most, if not all, of the logs exported from the Gambia are reportedly smuggled over the Senegalese border. Reports further show that 100 percent of the logs that enter the Gambia from Senegal are illegal, and 95 percent of such logs are considered by the Senegalese state as "conflict" timber from the Casamance region, which has fuelled tension between the two countries. Senegalese authorities claim that illegal timber sales from Senegal to the Gambia could see the Casamance forest depleted significantly in coming years; they have long accused the Gambia of profiting from illegal logging across the border.

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[5] See openknowledge.fao.org/server/api/core/bitstreams/3c5e3d42-7090-44ef-b3c7-1a0bbb7146b1/content

ACTIVITY

GROUP DISCUSSION QUESTION

1. **What measures can be used to address transboundary illicit timber trafficking?**

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STEP 2.

TRANSBOUNDARY CONSERVATION & COLLABORATIVE EFFORTS TO PROTECT FOREST ECOSYSTEMS

Transboundary conservation refers to the collaborative efforts of neighbouring countries to manage and protect shared natural resources, such as forests, that span across their borders. This approach is crucial for maintaining ecological integrity and biodiversity, as ecosystems do not adhere to political boundaries.

IN THE CONTEXT OF FOREST RESOURCES, TRANSBOUNDARY CONSERVATION INVOLVES SEVERAL KEY ASPECTS:

- **Shared Management:** Countries work together to create and implement management plans that ensure the sustainable use and protection of forest resources.
- **Biodiversity Protection:** Collaborative efforts help protect species that migrate or have habitats spanning multiple countries, ensuring their survival and genetic diversity.
- **Conflict Resolution:** By working together, countries can address and resolve conflicts related to resource use, land rights, and conservation priorities.
- **Cultural and Community Benefits:** Transboundary conservation can strengthen relationships between communities on either side of the border, promoting cultural exchange and cooperation.
- **Climate Change Mitigation:** Joint efforts can enhance the resilience of forest ecosystems to climate change, helping to mitigate its impacts.

ACTIVITY

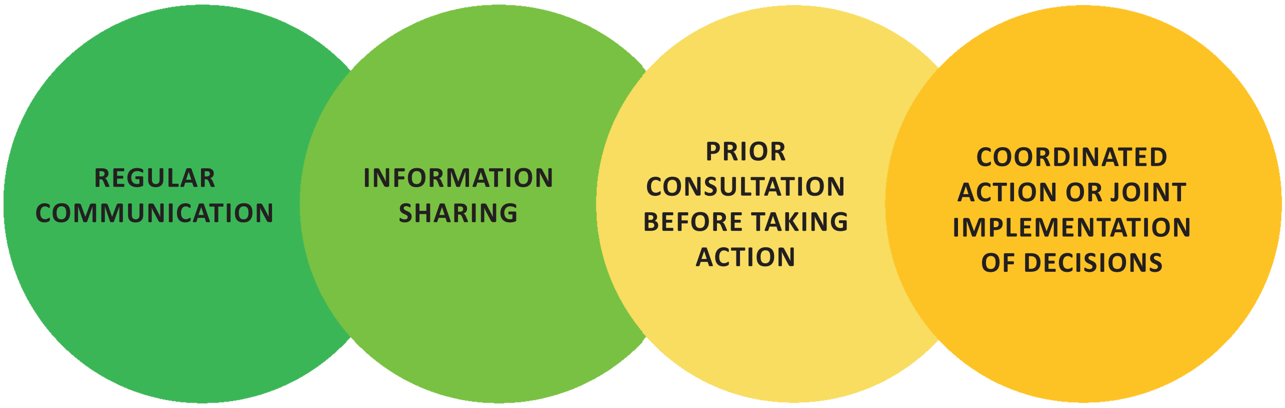
GROUP DISCUSSION

How can countries cooperate or collaborate to promote transboundary conservation of natural resources and combat specific types of forestry crimes? Share your experiences.

Trainer to present four principles for transboundary cooperation:

Figure 16 shows how countries in a transboundary arrangement or agreement can cooperate to combat illegal forest practices. The model is a guideline for effective transboundary forestry management.

Figure 16. *Models of cooperation*


REGULAR COMMUNICATION
INFORMATION SHARING
PRIOR CONSULTATION BEFORE TAKING ACTION
COORDINATED ACTION OR JOINT IMPLEMENTATION OF DECISIONS

Source: Vasiljević, M., Zunckel, K., McKinney, M., Erg, B., Schoon, M., & Rosen Michel, T. 2015. Transboundary conservation – A systematic and integrated approach. Best Practice Protected Area Guidelines Series No. 23, Gland, Switzerland, IUCN.

- **Regular communication** may include communication of problems or opportunities arising within the area of joint management (Vasiljević *et al.*, 2015). It provides a clear understanding of approaches implemented by each management authority involved.
- **Information sharing** on criminal suspects in forestry crime cases, seizures and origins of timber seized, timber trafficking routes, and trends are examples of important information that can be used to ensure effective transboundary law enforcement.
- **Prior consultation before acting** may entail seeking opinion, feedback or advice for improving management plans and actions. This cooperative process aims to harmonize management. It reduces the likelihood of tension or conflict arising between neighbouring countries over the management of border points by addressing important security concerns that may arise.
- **Coordinated actions and implementation of decisions** means that parties may agree to enforce management actions or plans uniformly in their different areas of sovereignty. This is a good form of cooperative management (Vasiljević *et al.*, 2015).

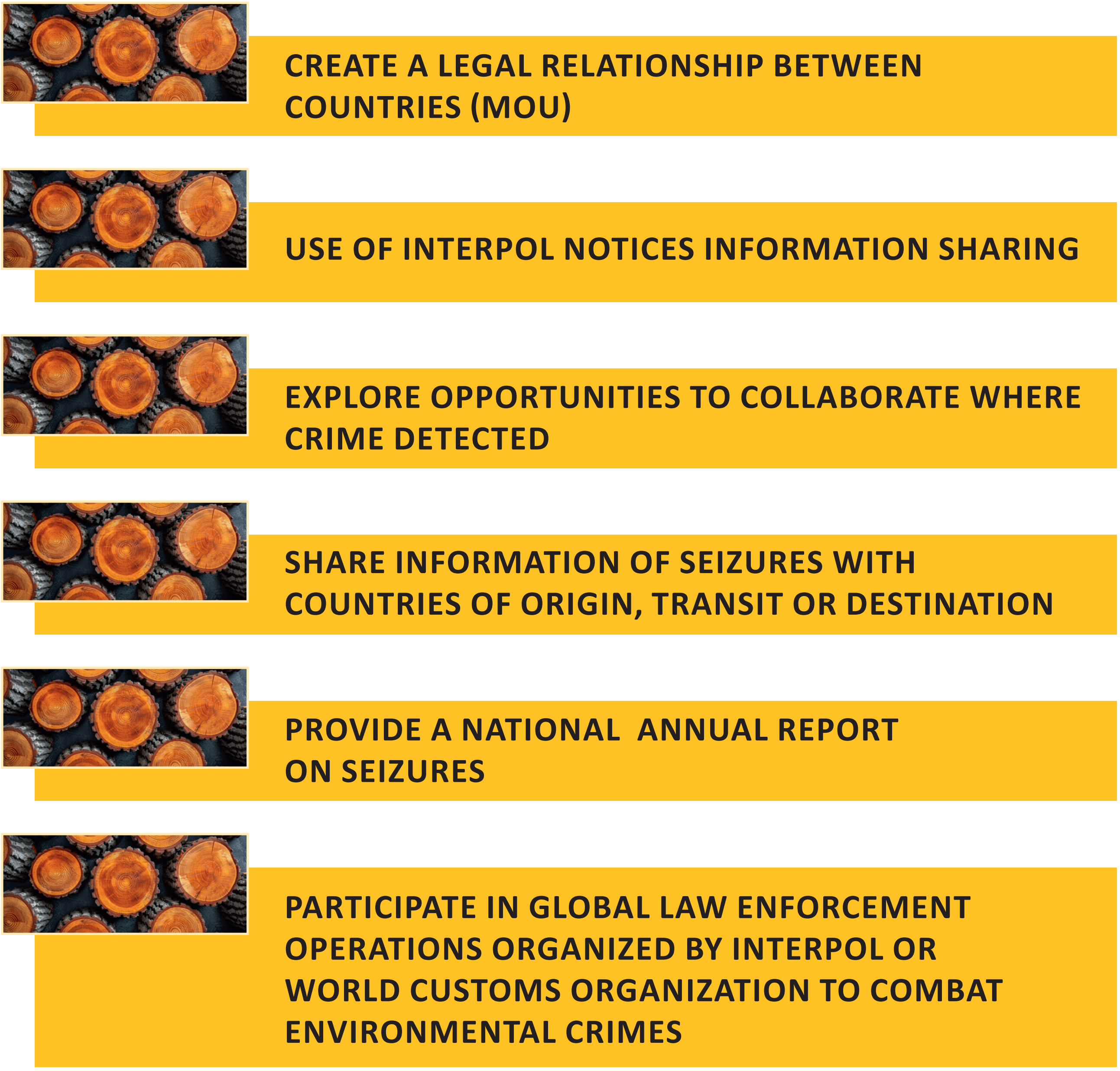
Transboundary cooperation is critical in disrupting the global network of illegal forest practices and other organized crimes. Joint law enforcement operations maximize efforts to protect natural resources located in joint protected areas, including forests areas often subject to different land tenure regimes.

The preamble of the Convention of Biological Diversity and CITES as international instruments recognize the need for transboundary cooperation to protect ecosystems and species that cross national boundaries. Forests provide habitats for a wide range of species, and the joint management of these areas reduces fragmentation of habitats and loss of species.

The contribution of forests to the economies of West Africa cannot be underestimated, as forests are a major source of fuel and livelihood for communities across Africa. For example, in Liberia, the forestry sector accounts for 17.27 percent of the national GDP. Transboundary cooperation ensures that the conservation of biodiversity occurs through joint management actions. This means each country has a forest resource that may be sustainably used for commercial trade.

The CITES Tree Task Force in its Decision 18.79 (2019) identified measures to promote and further strengthen regional and international cooperation to address illegal trade in CITES-listed tree species (Figure 17).

Figure 17. *Measures to promote regional and international cooperation*



CREATE A LEGAL RELATIONSHIP BETWEEN COUNTRIES (MOU)

USE OF INTERPOL NOTICES INFORMATION SHARING

EXPLORE OPPORTUNITIES TO COLLABORATE WHERE CRIME DETECTED

SHARE INFORMATION OF SEIZURES WITH COUNTRIES OF ORIGIN, TRANSIT OR DESTINATION

PROVIDE A NATIONAL ANNUAL REPORT ON SEIZURES

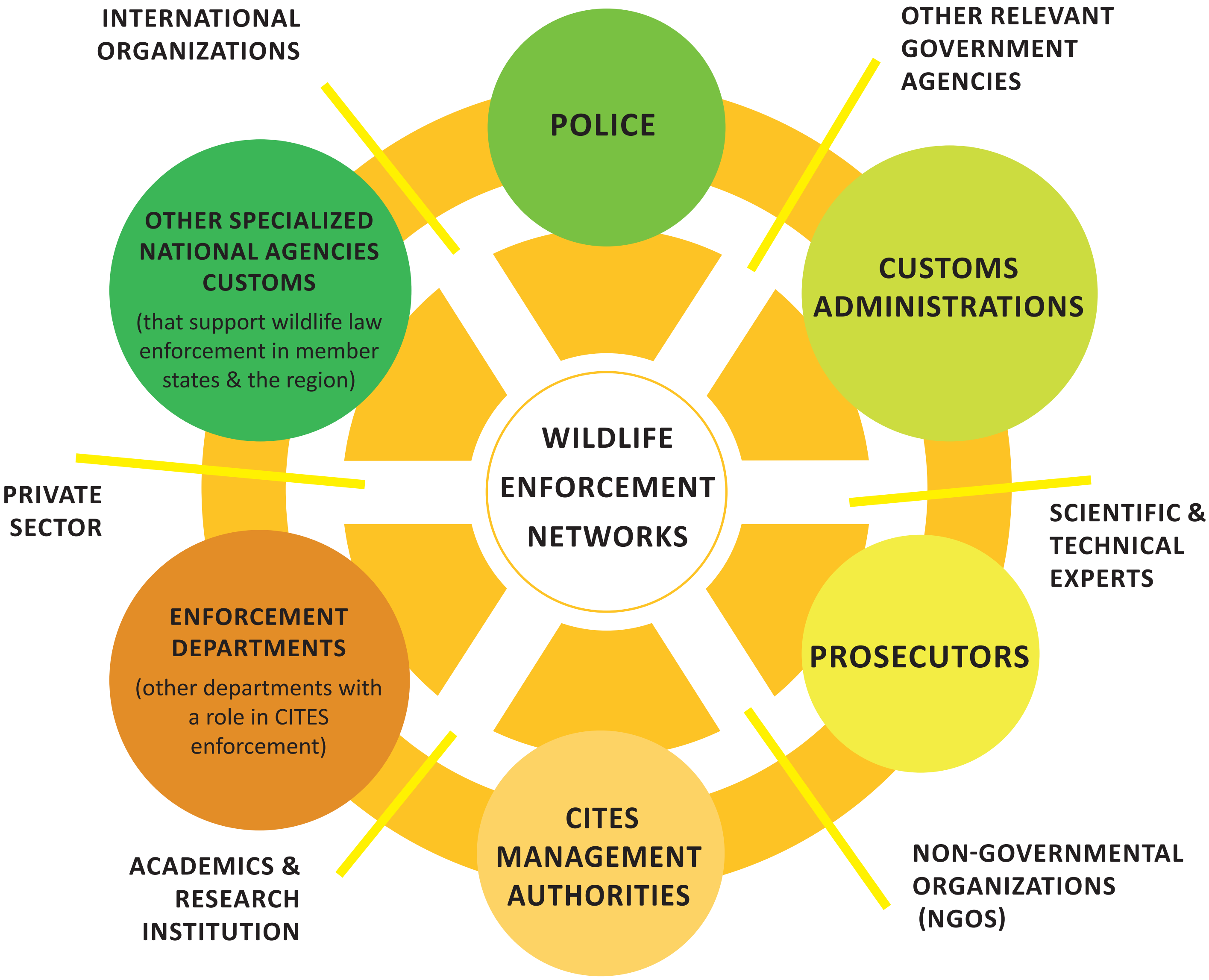
PARTICIPATE IN GLOBAL LAW ENFORCEMENT OPERATIONS ORGANIZED BY INTERPOL OR WORLD CUSTOMS ORGANIZATION TO COMBAT ENVIRONMENTAL CRIMES

Source: CITES. 2019. Convention on International Trade in Endangered Species of Wild Fauna and Flora. Decision 18.79 CITES.2019. Decisions of the Conference of the Parties to CITES in effect after its 18th meeting. Geneva, Switzerland. E18-Dec.pdf (cites.org)

STEP 3.
TRAINER TO PRESENT THE ROLE OF WILDLIFE ENFORCEMENT NETWORKS

Wildlife enforcement networks (WEN) are regional interagency networks crucial in the fight against forest crimes. The lead and coordinating agencies must include police, customs organizations, forestry management authorities, prosecutors and other specialized enforcement units. A WEN is usually a network led by forestry management agencies. The institutions and agencies in the yellow circles in Figure 18 may be involved temporarily (ICCWC, 2020).

Figure 18. *Wildlife enforcement networks*


INTERNATIONAL ORGANIZATIONS
OTHER RELEVANT GOVERNMENT AGENCIES
POLICE
OTHER SPECIALIZED NATIONAL AGENCIES CUSTOMS
(that support wildlife law enforcement in member states & the region)
CUSTOMS ADMINISTRATIONS
WILDLIFE ENFORCEMENT NETWORKS
PRIVATE SECTOR
SCIENTIFIC & TECHNICAL EXPERTS
ENFORCEMENT DEPARTMENTS
(other departments with a role in CITES enforcement)
PROSECUTORS
CITES MANAGEMENT AUTHORITIES
ACADEMICS & RESEARCH INSTITUTION
NON-GOVERNMENTAL ORGANIZATIONS (NGOS)

Source: ICCWC (International Consortium on Combating Wildlife Crime). 2020. ICCWC guidelines for wildlife enforcement networks (WENs) – A self-assessment tool for regional use. Geneva, Switzerland, ICCWC. https://iccwc-wildlifecrime.org/sites/default/files/files/2022-10/ICCWC%20WEN%20Guidelines_FINAL_ENG.pdf

- An enforcement network builds cooperation by encouraging standardized regional approaches in handling forestry crimes (ICCWC, 2020). It is a good way to share expertise, resources and intelligence within West Africa for better protection of flora and fauna. Throughout a network, it is better to conduct standard capacity-building training, uniformly equipping the region with key skills and knowledge.
- As shown in the WEN structure in Figure 18, private sector and non-governmental organizations can contribute financing and support services to agencies responsible for the management of forests. To ensure that collaboration thrives among member states, WENs focus on the harmonization of regional forestry policies and regulations.
- The model in Figure 18 includes scientific or technical experts and academic research institutions, showing the importance and relevance of research and science to forestry management. In a WEN, relevant agencies may be added at different times for specific programmes and outcomes.

Trainer to present the West Africa Network to Combat Wildlife Crime:

- *An example of a WEN in West Africa is the West Africa Network to Combat Wildlife Crime (WAN). WAN ensures regional strategic coordination of enforcement efforts and engagement with global enforcement initiatives. In October 2022, as an implementing partner for the West Africa Biodiversity and Climate Change programme, Born Free USA conducted the preparatory WAN training workshop for CITES management authority representatives to gain the skills and knowledge to run a WEN. A proper governance structure in a WEN allows for transparency and accountability in the administration of the network. Importantly, WAN has been "institutionalized" through the recent adoption by ECOWAS of the West Africa Strategy on Combating Wildlife Crime.*
- *The implementation of the West Africa Strategy on Combating Wildlife Crime requires each ECOWAS member state to develop a national strategy to establish a national taskforce to combat wildlife crime. These taskforces can collaborate with the WEN for effective law enforcement efforts. Countries need to strengthen internal processes of enforcement and cooperation between government departments or agencies, international agencies, communities, and other key stakeholders. Such coordination among local stakeholders will improve the quality of criminal justice responses to forestry crimes and increase the number of successful criminal cases prosecuted.*
- *The ECOWAS Forest Convergence Plan further fosters collaboration among member states in combating illegal forest practices. In the plan, emphasis is placed on the engagement of communities and other relevant stakeholders in decision-making and relevant issues arising in forestry management. The participation of communities is crucial for the sustainable management of forests and wildlife. Community-based forestry management can play a pivotal role in the protection of forests against illegal unsustainable activities and combating the impacts of climate change.*

ACTIVITY

GROUP DISCUSSION QUESTIONS

1. **What are the factors that cause transboundary cooperation to be limited?**
2. **In particular, what limits your ability to cooperate on transboundary forestry crime?**

Trainer to present relevant transboundary conservation areas:

Numerous cross-border cooperation initiatives have been created by West African states sharing common borders and forests. Table 10 gives an overview of the main cross-border conservation areas. These initiatives are the subject of flexible cooperation mechanisms, often within the framework of non-binding MOUs. They focus on promoting connectivity between contiguous conservation areas and concerted management. They also aim to increase the coverage of conservation areas.

Table 10. *Main transboundary conservation areas in the seven countries covered by the needs assessment*

NAME	*COUNTRY*	*CONTEXT*
Ziama-Wonegizi-Wologizi (ZWW) cross-border forest landscape	Guinea, Liberia	The Zama Biosphere Reserve in Guinea and the Wonegizi and Wologizi protected areas in Liberia form a transboundary forest landscape. It is one of the Mano River Union's priority landscapes. Since 2019, the ZWW landscape has been the subject of a bilateral management agreement between Guinea and Liberia (GEF Mano Project, 2019). This agreement institutes a framework for cross-border consultation and coordination and aims to establish cross-border corridors as well as a peace park.

NAME	*COUNTRY*	*CONTEXT*
Gola cross-border forest landscape	Liberia, Sierra Leone	Co-management of the Gola transboundary forest landscape is the result of a 2011 MOU, amended in 2020. Its effective implementation dates from the 2018 West African Biodiversity and Climate Change project, financed by the United States Agency for International Development. Co-management is based on a coordinating body. Under the MOU, the two countries share management of the forest, combating illegal chainsaw felling, mining and forest conversion for agriculture. Parties agreed to find alternative livelihoods for people living in communities near the forest (Kyser, 2020).
Taï-Grebo-Krahn- Sapo cross- border forest landscape	Côte d'Ivoire, Liberia	The Taï-Grebo-Krahn-Sapo cross-border collaboration initiative was launched by the governments of Liberia and Côte d'Ivoire in 2009. A steering committee has met annually since 2013. It includes representatives from several Ivorian bodies and the Liberian Forest Development Authority, and allows for the participation of conservation organizations. This forest complex contains the last large block of intact Guinean forests, over 7000 km² of which are protected areas. Cross-border collaboration focuses on combating uncontrolled and illegal resource extraction, weak law enforcement systems and poor collaboration between national stakeholders. Collaboration has contributed to the creation of the Grebo-Krahn Forest National Park in Liberia and the Taï and Sabo nature reserves in Côte d'Ivoire.
Mount Nimba Strict Nature Reserve	Côte d'Ivoire, Guinea, Liberia	The Nimba Mountains – straddling Côte d'Ivoire, Liberia and Guinea – have enjoyed strict protection status since 1944 in their northern part, now shared between Guinea and Côte d'Ivoire. This status remains the legal basis for protection in Guinea. In Côte d'Ivoire, this status is supplemented by its inclusion in the state's public domain. In Liberia, they are the subject of an adjacent nature reserve, the Réserve naturelle du Nimba oriental.

NAME	*COUNTRY*	*CONTEXT*
		The Nimba Mountains have been on the United Nations Educational, Scientific and Cultural Organization's list of World Heritage in Danger since 2020. Since 2016, cross-border cooperation actions have been carried out by the management bodies of the three states. In 2018, a meeting was held for the transboundary management of the forests of Mount Nimba and also of Déré and Tiapleu. Since 2019, an integrated ecological monitoring strategy for the property has been implemented in the field in December 2019, with data currently being processed (IUCN, 2020).
Jinack Protocol	Senegal, Gambia	The Jinak Protocol is an older agreement. In the Casamance region, there also exists a new transboundary agreement between the two countries on the protection of their shared forest ecosystem. They still face transboundary issues in relation to the forest in the Casamance region. Findings in the Gambia Legal Study on Forests revealed that the governments of the Gambia and Senegal recently concluded and signed a transboundary agreement for the protection and conservation of forest resources and wildlife management. It is also reported that the agreement builds on the existing the Jinack Protocol, which was signed by the two states for the same purpose.

Source: Adapted from FAO. 2024. Comparative legal study on forests in West Africa. Strengthening the legal forestry framework to address cross-border challenges and deforestation trends in the Upper Guinea tropical forest and Sahel ecosystems. Rome.

ACTIVITY

READ THE FACTS AND ANSWER THE FOLLOWING QUESTIONS.

Facts

Under an MOU between Senegal and the Gambia, the two countries agreed to implement a common management plan of the Parc National du Delta du Saloum in Senegal and Niumi National Park in the Gambia.

Senegal and the Gambia have agreed to give mutual assistance to each other to support capacity, information exchange and sharing. In the MOU, the two countries agree that joint management plans, including for law enforcement patrols for the area, shall be discussed and agreed upon by both parties. Parties also commit not to engage in any other conduct within this region without consulting the other party.

The two countries, through the CITES management authorities, jointly manage the area under their sovereignties. Karibu and Sana are forest rangers, and they catch a truck loading logs on the western side of the protected area within Senegal territory. The truck is a Gambian-registered vehicle operated by Gambian nationals. They provide documentation for permits issued by the Gambian authorities allowing for such logging and transportation to take place.

The two Gambian nationals were arrested in Senegal and taken into custody for illegal logging in a protected area and transportation of timber.

Questions

Give your best answers, considering mechanisms highlighted in this module.

1. **ARE THE ARRESTS LAWFUL CONSIDERING THE PARTIES HAVE PERMITS FROM GAMBIA?**
2. **HOW CAN SENEGAL COLLABORATE WITH GAMBIA IN RESOLVING THIS ISSUE? IN YOUR ANSWER, HIGHLIGHT THE RELEVANT MECHANISMS OR MODELS OF COOPERATION THAT COULD BE APPLICABLE.**
3. **IN LIGHT OF THE TERMS OF THE MOU, DID GAMBIA ACT LAWFULLY BY ISSUING PERMITS TO THE GAMBIAN NATIONALS?**
4. **IF THERE WAS A BREACH OF THE MOU, HOW CAN IT BE RECTIFIED?**

MODULE 4 LEARNING TAKEAWAYS

- Transboundary cooperation is an effective tool that allows better coordination in apprehending of criminal syndicates responsible for illicit timber trafficking.
- Promoting consistency and coherence of forestry laws in the region will provide uniform and effective legal consequences for offenders of forestry laws.
- Communication and information sharing between CITES management authorities and relevant agencies handling forestry crimes will enhance coordination in combating illicit timber trafficking.
- National taskforces and WENs are important for transboundary conservation, better equipping agencies to fight forestry crimes through sharing of resources.
- Transboundary cooperation may result in sustainable forestry management if Indigenous communities are included in law enforcement and decision-making.
- Scientific and academic institutions can offer valuable data and scientific research and development that can buttress field operations and law enforcement strategies.

MODULE 4 TOOLKIT

- International Consortium on Combating Wildlife Crime – Wildlife enforcement networks (WENs): https://www.iccwc-wildlifecrime.org/wildlife-enforcement-networks-wens.
- International Union for Conservation of Nature – Transboundary conservation: https://portals.iucn.org/library/node/45173.

TEST YOURSELF!

Including a recap of the previous exercises

MODULE 1:
AN OVERVIEW OF FOREST CRIMES IN WEST AFRICA

EXERCISE 1

Fill in the shapes below with drivers relevant to your country’s context.

1. **What are the prevalent drivers of illegal forest practices, including illegal timber trafficking in your country?**
2. **List each of these drivers in the columns below according to whether it is a high-, medium- or low-ranking factor in your jurisdiction.**

HIGH	***MEDIUM***	***LOW***

EXERCISE 2

Create your checklist:

- **What do you think is required to effectively combat illegal forest practices, including illegal timber trafficking? Fill in the shapes below with words you think relevant.**

....
....
....
....
....
governance

Present your checklist!

EXERCISE 3

Explore some tools by clicking on the links below.

Note: This online exercise requires access to a computer and an internet connection.

Choose one tool you think is most relevant and explain how you think it may be used in law enforcement.

Arena Mobile:
https://openforis.org/solut ions/arena-mobile/

Ground:
https://openforis.org/solutions/ground/

Collect Earth:
https://openforis.org/solutions/collect-earth/

Collect Earth Online:
https://openforis.org/solutions/collect-earth-online/

To see the full list of apps go to: https://openforis.org.

Check out some of the mobile apps for timber identification compatible with Android and iPhone: https://globaltimbertrackingnetwork.org/2021/07/05/update-on-automated-wood-identification-mobile-app/.

1. **Share what you found interesting about the tools.**
2. **How do you think they can be useful to combating forest crimes?**
3. **Have you used any of these tools before? Share your experience.**
4. **Do you know of any other useful technology tools and apps?**
5. **Do you have any innovative tools that you use in detecting or preventing forest crimes?**

MODULE 2: UNDERSTANDING INTERNATIONAL LEGAL FRAMEWORKS

EXERCISE 1

Familiarize yourself with basic CITES concepts by taking free training:

1. **Follow the link to CITES Virtual College: https://cites.org/eng/virtual-college/training.**
2. **Create a guest account to access general training material.**
3. **Try one short training.**
4. **To see permit exceptions listed above check out the permit exception summary here.**

GROUP EXERCISE 2

Facts

Trade in *Pterocarpus erinaceus* has been restricted and the timber species has been listed in Appendix I. A truck full of timber *Pterocarpus erinaceus* is discovered near Djoudj and Diawling Transboundary Biosphere Reserve, on the Senegal side. The driver produces transportation permits and export permits showing that the timber is due to exit the border transit through Mauritania and be shipped to Europe.

Questions

1. **EXPLAIN THE LEGALITY OF THE PERMITS ISSUED IN THE SET OF FACTS ABOVE.**
2. **WHAT NEXT STEP WOULD YOU TAKE TO ESTABLISH LEGALITY OF DOCUMENTS?**
3. **WHAT ARE THE REQUIREMENTS FOR ISSUANCE OF AN EXPORT PERMIT FROM SENEGAL? IN YOUR ANSWER EXPLAIN THE ROLE OF THE MANAGEMENT AND SCIENTIFIC AUTHORITIES.**
4. **WHAT WOULD HAPPEN IF THE TIMBER SPECIES RECOVERED WAS LISTED IN APPENDIX II?**

MODULE 3: INVESTIGATING FOREST CRIMES

GROUP EXERCISE 1

Facts

Five trucks full of ekki logs have been found by the Liberia National Police outside the Kasa sawing mill in Gbarpolu County in Liberia, one of the most forested regions in Liberia. The five trucks were hired from Common Logistics to transport the timber, valued at over USD 60 000. The company was engaged by one local man, Dawoda, who claims to have been engaged by a Korean man. Upon questioning it has come to light that the intercepted timber was going to be exported to South Korea through the Freeport of Monrovia within a few days. To prove that the transaction is legitimate, Common Logistics produces fake harvest permits, licences, transportation documents and export permits. Further investigations show that the logs came from Weimu village, where Dawoda paid locals to assist with logging of trees without a Forestry Development Authority licence.

CRIMINAL ACTIVITY	ESSENTIAL ELEMENTS	EVIDENCE TO BE COLLECTED
Illegal logging	Cutting down activity ► no legal authority such as a permit	....
Attempting to export timber without complying with export regulations and permits (timber trafficking)	......	......

Questions

1. **WHAT ARE THE ESSENTIAL ELEMENTS OF THE ILLEGAL LOGGING CRIME? DISCUSS WITHIN YOUR GROUP AND LIST THESE IN THE TABLE ABOVE.**
2. **WHAT EVIDENCE WOULD YOU COLLECT? LIST THIS INFORMATION IN THE THIRD COLUMN.**
3. **HOW CAN YOU WORK WITH COMMUNITIES AS ALLIES IN THE PROCESS?**

ANSWERS TO GROUP EXERCISE 1

CRIMINAL ACTIVITY		***ESSENTIAL ELEMENTS***	***EVIDENCE TO BE COLLECTED***
Illegal logging		► Logging of timber (act) ► No authorization by relevant authority to cut down trees, in this case evidenced by forged documents	► Forged documents transportation permit or export permit ► Truck used as instrumentality of the crime
Attempting to export timber without complying with export regulations and permits (timber trafficking)		► Act of logging and transporting ekko timber	► Timber ► Witness statement (Weimu villagers)

Consider the following:

- **Does the law or do good practices allow for community members to act as guards and informants?**
- **What are the critical ingredients for promoting community stewardship of the forests and forest resources? How can you promote their use in your jurisdiction?**
- **Does the legal framework pertaining to your jurisdiction support community rights and responsibilities for sustainably managing forest resources? To start, with the relevant sections of the project's national legal reports, and then discuss among yourselves.**

MODULE 4: TRANSBOUNDARY COOPERATION IN COMBATING FOREST CRIMES IN WEST AFRICA

EXERCISE 1

Facts

Under an MOU between Senegal and the Gambia, the two countries agreed to implement a common management plan of the Parc National du Delta du Saloum in Senegal and Niumi National Park in the Gambia.

Senegal and the Gambia have agreed to give mutual assistance to each other to support capacity, information exchange and sharing. In the MOU, the two countries agree that joint management plans, including for law enforcement patrols for the area, shall be discussed and agreed upon by both parties. Parties also commit not to engage in any other conduct within this region without consulting the other party.

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Questions

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4. **IF THERE WAS A BREACH OF THE MOU, HOW CAN IT BE RECTIFIED?**

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